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THE
REVISED ORDINANCE

OF THE

CITY OF ST. LOUIS,

TOGETHER WITH

THE CONSTITUTION OF THE UNITED STATES, CONSTITUTION
OF THE STATE OF MISSOURI, THE SCHEME FOR THE
SEPARATION OF THE GOVERNMENTS OF THE
CITY AND COUNTY OF ST. LOUIS, THE
CHARTER OF THE CITY, AND A
DIGEST OF THE LAWS AP-
PLICABLE TO THE
CITY.

9155

M. J. SULLIVAN, REVISER.

ST. LOUIS:

TIMES PRINTING HOUSE, FIFTH AND CHESTNUT.

1881.
YR

ARTICLE XI.

PROTECTION OF BIRDS.

SECTION

- 1. Disturbance of birds or nests prohibited.
- 2. Penalty for disturbing same.
- 3. Throwing stones, wood, &c., prohibited.

SECTION

- 4. Penalty for throwing same.
- 5. Protection of all birds, except hawks, &c., intended.
- 6. Duty of police.

SECTION 1. All persons are forbidden to molest, injure or disturb in any way, any small bird in the city of St. Louis, or the nest, young or brood of any small bird in said city.

Birds, or nests not to be disturbed. Ord. 8436, sec. 1.

SEC. 2. If any person shall willfully injure, molest, take or disturb in any way, any small bird in the city of St. Louis, or the nest, eggs, young or brood of any such small bird, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall forfeit and pay to said city not less than five dollars for each bird so by him injured, molested, taken or disturbed, and not less than twenty dollars for each nest of eggs or brood of young of any such small bird in the city of St. Louis, so by him injured, molested taken or disturbed.

Penalty for disturbing birds or nests. Ibid. sec. 2.

SEC. 3. No person shall throw from his hand any fragment of stone, wood, metal or other missile capable of inflicting injury, in any street, alley, walk or park of the city of St. Louis, or use or have in his possession ready for use in any street, alley, walk or park of the city of St. Louis, any sling, cross bow and arrow, air gun or other contrivance for ejecting, discharging or throwing any fragment, bolt, arrow, pellet, or other missile of stone, metal, wood or other substance capable of inflicting injury or annoyance.

Throwing stones, wood, &c., prohibited. Ibid. sec. 3.

SEC. 4. If any person shall throw from his hand, in any alley, street, walk or park of the city of St. Louis, any missile of wood, stone, metal or other substance, or sub-

Penalty. Ibid. sec. 4.

stances capable of inflicting injury or annoyance, or use or have in his possession, ready for use in any street, alley, walk or park of the city of St. Louis, any sling, air gun, cross bow and arrow, or other contrivance for ejecting, discharging or throwing any missile, pellet, fragment or bolt of stone, metal, wood or other substance, or substances capable of causing injury or annoyance, he shall be deemed guilty of a misdemeanor, and on conviction thereof, be punished by a fine of not less than one nor more than twenty dollars for each offense.

All birds to be protected, except hawks, &c.
Ibid. sec. 5.

SEC. 5. The birds intended to be protected by this article shall be and are defined as all varieties of birds except hawks, vultures and owls.

Duty of police.
Ibid. sec. 6.

SEC. 6. It is made the special duty of the police force of the city of St. Louis, to enforce the provisions of this article, and arrest and bring to trial, all offenders against the same; and any member of the police force conniving at any breach of the foregoing provisions, by failing to arrest or report the offender, shall, on conviction thereof, be subject to a fine of not less than five dollars.

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WILMINGTON, DEL.
ATTORNEY-AT-LAW,

JAN 15 1894

THE CHARTER
WILMINGTON, DEL

OF THE

CITY OF WILMINGTON

AS AMENDED TO MAY 6TH, 1893;

Acts of the General Assembly

RELATING TO THE CITY,

INCLUDING THE SESSION OF 1893;

(being vol. 19. Laws of Del.)

—AND—

FINANCES, AND RULES AND REGULATIONS

Of Departments of the City Government,

AS AMENDED AND IN FORCE, SEPTEMBER 1ST, 1893;

—ALSO—

THE ORIGINAL BOROUGH CHARTER.

PUBLISHED BY ORDER OF THE COUNCIL.

WILMINGTON, DEL.:

DIAMOND PRINTING COMPANY,

1893.



PART VII.

RULES AND REGULATIONS

OF THE

BOARD OF PARK COMMISSIONERS.

RULES AND REGULATIONS OF THE BOARD OF
PARK COMMISSIONERS,

AS AMENDED AND IN FORCE SEPTEMBER 1ST, 1893.

1. No person shall ride or drive upon any other part of the Park than upon such roads as may be designated for such purposes. Penalty, \$5 00
2. No person shall be permitted to bring led horses within the limits of the Park, or to turn any horses, cattle, goats, swine, dogs, or other animals loose in the Park. Penalty, \$5 00
3. No person shall indulge in any threatening, abusive, insulting, or indecent language in the Park. Penalty, \$5 00
4. No person shall engage in gaming, or commit any obscene or indecent act in the Park. Penalty, \$10 00
5. No person shall go into bathe in any of the waters within the Park. Penalty, \$5 00
6. No person shall throw any dead animal or offensive matter or substance of any kind into the Brandywine, or into any spring, brook, or other water, or in any way foul any of the same, which may be within the boundaries of the Park. Penalty, \$5 00
7. No person shall carry fire-arms or shoot birds or other animals within the Park, or throw stones or other missiles therein. Penalty, \$5 00
8. No person shall disturb birds, or annoy, strike, injure or kill any animal, whether wild or domesticated, within the Park. Penalty, \$5 00
9. No person shall cut, break, or in anywise injure or deface any trees, shrubs, plants, turf or rocks, or any buildings, fences, bridges, or other structures within the Park. Penalty, \$10 00
10. No person shall injure, deface, or destroy any notices, rules or regulations for the government of the Park posted or in any other manner permanently fixed, by order or permission of the Board of Park Commissioners or their officers or employees. Penalty, \$10 00

Adopted October 12, 1887.

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A DIGEST

OF THE

LAWS AND ORDINANCES

FOR THE GOVERNMENT OF THE MUNICIPAL CORPORATION OF THE

City Councils.
CITY OF READING, PENNSYLVANIA,

IN FORCE APRIL 1, 1897.



[PUBLISHED BY AUTHORITY OF THE CITY COUNCILS.]

COMPILED BY LOUIS RICHARDS.

READING, PA.:
EAGLE BOOK PRINT, 542 PENN STREET.
1897.

Pil.

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CITY CLERK—CITY PARK.

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be and the same are hereby repealed so far as the same affects this ordinance. 9 March 1891.

7. From and after the passage of this resolution, it shall be the duty of the city clerk to send to the residences of all members of councils, previous to the meetings of councils, printed copies of the calendar and ordinances which are to receive consideration at each meeting. 30 Sept. 1885.
J. 1885-86, App.
379.
To furnish
calendars, etc.,
in advance of
meetings.

8. From and beginning with the first day of April, A. D. 1894, the compensation to be paid the assistant in city clerk's office shall be and is hereby fixed at eight hundred and forty dollars per annum, payable as the salaries of other officials are payable. 13 Mar. 1894 § 1.
J. 1893-94, App.
643.
Salary of assistant.

City Park.

I. PENN'S COMMON AND COMMON COMMISSIONERS.

1. Public commons dedicated to the public by the title of "Penn's Common."

2. City districted for the election of common commissioners. Qualifications of commissioners.

3. Commissioners to be elected by councils. First election. Succeeding elections. Minority vote. Term. Organization. Election to be valid if held within sixty days after first Monday of September.

4. Vacancies, how filled. Minority representation. Removal of commissioners. Oath.

5. Common to be under control of commissioners. Appropriations by councils.

6. Plan of improvements.

7. Powers of commissioners. To employ superintendent and laborers. To purchase materials. Estimates to be submitted to councils. When mayor to give casting vote. Creation of debts and obligations. Councils to make appropriations therefor. No contracts to be made unless in pursuance of appropriation.

8. Meetings. Rules and Regulations.

9. Employment of police.

10. Interpretation of former ordinance relative to districts for election of commissioners.

11. City clerk to be secretary of board. Salary.

12. Mineral Spring property transferred to common commissioners for park purposes. *Proviso.*

13. Occupancy by Mount Penn Gravity and City Passenger Railway Companies.

14. Commissioners empowered to acquire driveway to connect with Egelman property. *Damages.*

15. Right of way granted to Mount Penn Gravity Railroad Company.

16. Conditions.

17. Purpose.

18. Mode of payment of employees of park and water departments. Pay rolls to be certified by superintendent.

19. How warrants to be drawn and moneys disbursed.

II. PARK RULES AND REGULATIONS.

20. Limit of speed. Driving confined to roads. Vehicles of burden. Entrance and exit. Coaches for hire. Threatening language, etc. Gaming and obscenity. Firearms, etc. Disturbance of fish, birds or animals. Fireworks. Placards. Injury to trees, shrubbery, statuary, etc. Dead animals, etc. Animals at large. Impounding and disposition of estrays. Tearing down notices. Leading of horses. Fakirs. Musical entertainments, etc. Parades or funeral processions. Public meetings. Games of sport.

21. Penalty.

I. "Penn's Common" and Common Commissioners.

1. That the tract of land situated at the head of Penn street, in the city of Reading, commonly known as the "Public Commons," which in a recent suit by the city of Reading against the county of Berks, was adjudged and decreed by the Supreme Court of Pennsylvania to belong to the city of Reading, be laid out, improved and maintained forever as a public common for the health, benefit and enjoyment of the inhabitants of said city, and shall hereafter be known and designated by the name of "Penn's Common." 28 Sept. 1887 § 1.
J. 1887-88, App.
312.
Public commons dedicated to the public by the title of "Penn's Common."

2. The city of Reading is hereby divided into four districts for the election of common commissioners in manner following, to wit: That portion of the city lying east of Sixth street and south of Penn street shall compose one district; that portion of the city lying west of Sixth street and south of Penn street shall compose one district; that portion of the city lying west of Sixth street and north of Penn street shall compose one district; and that portion of the city lying east of Sixth street and north of Penn street shall compose one district,¹ which districts shall be numbered one, two, three and Id. § 2.
City districted for the election of common commissioners.

¹ See *infra* 10.

28 Sept. 1887.
Qualifications
of commis-
sioners.

Id. § 3.

Commissioners
to be elected by
councils.

First election.

Succeeding
elections.

Minority vote.

Term.

Organization.

Election to be
valid if held
within sixty
days after first
Monday of
September.

Id. § 4.

Vacancies, how
filled.

four, in the order in which they are herein described, and the common commissioners hereinafter provided for shall be chosen one from each of the aforesaid districts, of which they shall be qualified electors, respectively, at the time of their election.

3. Within twenty days after the passage of this ordinance the councils of the city of Reading shall meet in joint convention and elect four persons, one from each of the aforesaid districts, qualified electors of their respective districts, neither of whom shall be a member of the city councils, who shall be styled "common commissioners." Each member of councils at said first election shall vote for two commissioners, and the four persons having the highest number of votes shall be declared elected; one of said commissioners so elected being one of the two highest in the number of votes cast, and one of said commissioners so elected being one of the two lowest in the number of votes cast shall hold office for the period of four years, to be computed from the first Monday in September, A. D. 1887, and the other two so elected shall hold office for the period of two years, to be computed from the first Monday in September, A. D. 1887; the choice between the two highest and the two lowest at the first election for the term of office, held as aforesaid, shall be determined by lot, and thereafter every two years there shall be elected in joint convention of councils, on the first Monday of September, two common commissioners, qualified as aforesaid, each member of councils to vote for only one commissioner, who shall not be a member of councils, and the two persons receiving the highest number of votes shall be declared duly elected for the period of four years from the date of their election, and no compensation shall be received by said commissioners for their services. The said commissioners shall organize annually on the second Monday of September: *Provided*, That if at any time hereafter the councils of said city of Reading should fail or neglect to elect said commissioners on the day prescribed by this ordinance, it shall and may be lawful for such election to be held at any time within sixty days thereafter, the term of office of the commissioners so chosen to be computed from the day upon which such election should have been held.

4. Whenever a vacancy shall occur in said board of commissioners by death, resignation, removal from office, removal from the district for which he was elected, or otherwise, such vacancy shall be filled by the remaining members of the board of commissioners, and the person so chosen by them to fill said vacancy shall serve for the unexpired term of the commissioner whose place is vacated, in manner following, to wit: If the office vacated has been filled by a commissioner who at the time of his election had the highest or next to the highest number of votes in the joint convention of councils, then his colleague in said board, who was elected at the same time with him by the same vote, or higher, or next highest vote to him, shall fill the vacancy by nominating to his colleagues a person qualified as aforesaid, residing in the district vacated, and if said person shall be approved by his two colleagues, such person shall be declared duly elected for the unexpired term; if the office vacated has been filled by a commissioner who at the time of his

CITY PARK.

election was one of those having had the lowest number of votes in joint convention of councils, then his colleague in said board, who was elected at the same time with him, by the same vote, or next vote to him, above or below, shall nominate a person, qualified as aforesaid, to his two colleagues to fill such vacancy, and if said person shall be approved by his two colleagues, he shall be declared duly elected for the unexpired term of office. In case two or more vacancies should occur, either among those elected by councils in joint convention or those elected by the board to fill vacancies, such vacancies shall be filled by the remaining members of the board, on the principle that when filled the board shall fairly represent both the majority and minority vote of the joint convention which originally elected them ; and no member of the board of commissioners shall at any time during the term of office for which he has been elected, either by joint convention of councils or by the board of commissioners, be subject to removal from office, except by indictment for misdemeanor in office ; and said commissioners shall be duly sworn or affirmed before entering upon the duties of their office to execute the same with fidelity.

28 Sept. 1897.

Minority representation.

Removal of commissioners.

Oath.

5. All the care and management of the said common and all the plans and expenditures for the improvement and maintenance of the same shall be under the control of said commissioners, subject to such appropriations as councils may from time to time make for the maintenance and improvement of the said common.

Id. § 5.

Common to be under control of commissioners.

Appropriations by councils.

6. The said board of commissioners shall, as soon as practicable, after their organization, submit to councils for approval a plan or draft of the contemplated improvements to said common.

Id. § 6.

Plan of improvements.

7. They shall have power to appoint a superintendent and employ such laborers and mechanics as they may deem necessary, whose compensation shall be fixed by councils ; to purchase such material as may be requisite to govern, manage, lay out, plant and ornament the said common, and to maintain the same in good order and repair ; and the said commissioners shall, whenever called upon by councils, make and submit to them full estimates of the costs, charges and expenses of any work or alterations which they may contemplate, and whenever the said board of commissioners shall be equally divided in the determination of any question which may arise in their board touching the management of the said common, the casting vote shall be given by the mayor of the city ; but no common commissioner nor any person employed by or under them shall have power to create any debt or obligation to bind the said board of commissioners, or the city of Reading, except by the express authority of the said board at a meeting duly convened ; and all debts, obligations or expenditures made in pursuance thereof shall be paid from the appropriations made by councils, by bills duly approved by the said commissioners and in the manner in which bills of other departments of the city are paid : *Provided*, That no contracts shall be made or expenses incurred for the improvement or maintenance of said common unless an appropriation therefor shall have first been made by councils.

Id. § 7.

Powers of commissioners.

To employ superintendent and laborers.

To purchase materials.

Estimates to be submitted to councils.

When mayor to give casting vote.

Creation of debts and obligations.

Councils to make appropriations therefor.

No contracts to be made unless in pursuance of appropriation.

28 Sept. 1897 § 8.

Meetings.

Rules and regulations.

Id. § 9.

Employment of police.

15 Oct. 1891 § 1.
J. 1891-92, App.
392.

Interpretation of former ordinance relative to districts for election of commissioners.

29 Nov. 1887 § 1.
J. 1887-88, App.
328.

City clerk to be secretary of board.

Salary.

20 Mar. 1893 § 1.
J. 1892-93, App.
460.

Mineral Spring property transferred to common commissioners for park purposes.

Proviso.

Id. § 2.

Occupancy by Mount Penn Gravity and City Passenger Railway Companies.

2 Apr. 1896 § 1.
J. 1895-96, App.
536.

Commissioners empowered to acquire driveway to connect with Egelman property.

Damages.

8. The said commissioners shall hold regular meetings at such times as they may fix, and shall make and enforce such rules and regulations as they may deem necessary for the good government of the said common, which shall be submitted to councils for approval.

9. The said commissioners shall employ a police force adequate to maintain good order therein, whose compensation shall be fixed by councils, who shall at all times be subject to the orders of the said commissioners.

10. That Section 2 of an ordinance entitled "An ordinance establishing a public common, prescribing the mode of electing common commissioners and defining their powers," approved September 28th, 1887, be and the same is hereby interpreted to mean that Penn street shall be continued in a straight line east to the eastern city line, thereby making the districts for the election of common commissioners as follows, viz.: District No. 1. All that portion of the city lying east of Sixth street and south of Penn street, as herein interpreted. District No. 2. All that portion of the city lying south of Penn street and west of Sixth street. District No. 3. All that portion of the city lying west of Sixth street and north of Penn street, and District No. 4, all that portion of the city lying east of Sixth street and north of Penn street, as herein interpreted.

11. The city clerk shall be secretary of the board of common commissioners, and shall receive as a compensation for such service the sum of twenty dollars per month, beginning November 15, 1887.

12. That the tract or tracts of land known as the "Mineral Springs property," owned by the city and under the control of the water department, be and is hereby transferred to the board of common commissioners, to be used and improved as a public park, in such manner as the said common commissioners or councils shall in the future determine: *Provided, however*, That the funds necessary for repairing and maintenance of said property be taken from the department of water.

13. The said common commissioners shall exercise the same powers and authority pertaining to the occupancy of part of said land by the Mount Penn Gravity and City Passenger Railway Companies, as has been by ordinance conferred upon the water board when the privileges were granted to said companies: *Provided*, That if any part of the said land be at any time wanted for water purposes it shall be at the service of the board of water commissioners.

14. The common commissioners are hereby empowered to purchase, acquire, enter upon, take, use and appropriate, for the purpose of making, enlarging, extending and maintaining the public park, so much property as in their judgment may be needed to secure the necessary right of way and adjacent lands thereto, to connect Penn's Common with the tract of land owned by the city at Egelman dam, and in the exercise of the power herein granted they are hereby authorized to purchase or take such proceedings for ascertaining damages and assessing the benefits incident thereto, as shall be in accordance with the

law authorizing cities of this commonwealth to acquire by purchase, or otherwise, private property for public park purposes.¹

15. That the Mount Penn Gravity Railroad Company be and is hereby granted the right to occupy a portion of the northeast section of Penn's Common with their railroad and station appurtenances, and also the right to cross the Mineral Spring property of the city of Reading with their railroad track.

16. That the right to occupy Penn's Common is granted subject to the control and management of the common commissioners, and the right to cross the Mineral Spring property is granted subject to the control and management of the water commissioners.

17. That the rights herein are granted to the said railroad company for the purpose of constructing, maintaining and operating a gravity railroad, and shall continue during the corporate existence of the said company.

18. The employees of the water and park departments shall and are hereby directed to be paid semi-monthly, by pay roll, to be approved by the proper departments or committees; said pay roll to contain name of person, kind and time of service, rate per day, amount due, and a receipt to be signed by the person receiving the amount set opposite his name, and shall be prepared and certified by the superintendent of each of said departments to the city clerk and city controller.

19. Upon presentation to the city clerk of pay rolls properly certified and approved as beforementioned, the city clerk shall and he is hereby directed to draw warrants as follows: * * *

* * * For the park department, "to the order of the superintendent."

Said officials to dispose of the money in the manner indicated on the pay roll, and to be responsible for the proper disbursement of the same.²

II. Park Rules and Regulations.

20. That the following rules and regulations be and are hereby established as the rules and regulations for the government and protection of Penn's Common, viz.:

(1) No person shall drive or ride in Penn's Common at a rate exceeding seven miles an hour.

(2) No one shall ride or drive therein, upon any part of the common, than upon the avenues and roads.

(3) No vehicle of burden or traffic shall pass through the common.

(4) No person shall enter or leave the common except by such gates or avenues as may be for such purposes arranged.

(5) No coach or vehicle used for hire shall stand upon any part of the common for the purposes of hire.

(6) No person shall indulge in any threatening, abusive, insulting or indecent language in the common.

¹ See the ordinance of October 1, 1889 (Jour. 1889-90, App. 294), forever exempting from being paved a triangular piece of ground at the intersection of Centre Avenue, Third and Windsor Streets, 108 feet on Third and 51 feet on Windsor Street, deeded by the owners to citizens of the vicinity for conversion into a park: "Provided, That it be sodded and laid out with walks of

proper width, and that it be improved and beautified and kept as a park."

² By the resolution of May 14, 1889, the common commissioners were requested to see that all persons employed at the park are residents and taxpayers of the city, and to give such as are willing to earn off their taxes preference when they apply for work. Jour. 1889-90, App. 333.

30 Dec. 1887.
Gaming and
obscenity.
Firearms, etc.

(7) No person shall engage in any gaming, nor commit any obscene or indecent act in the common.

(8) No person shall carry firearms, or shoot in the common, or within fifty yards thereof, or throw stones or other missiles therein.

Disturbance of
fish, birds or
animals.

(9) No person shall disturb the fish or water fowl in the pool or pond, or birds in any part of the common, or annoy, strike, injure, maim or kill any animal kept by direction of the commissioners, either running at large or confined in a close, nor discharge any fireworks, nor affix any bills or notices therein.

Fireworks.
Placards.

Injury to trees,
shrubby,
statuary, etc.

(10) No person shall cut, break, or in any wise injure or deface the trees, shrubs, plants, turf or any of the buildings, fences, bridges, structures or statuary, or foul any fountains or springs within the common.

Dead animals,
etc.

(11) No person shall throw any dead animal or offensive matter or substance of any kind within the boundaries of Penn's Common.

Animals at
large.

(12) No person shall turn cattle, goats, swine, horses, dogs or other animals loose into the common. Nor shall they be permitted in or around the common, unless accompanied by the owner; and whether accompanied by the owner or not, if any of said animals are found running at large in and about the said common, it shall be lawful for, and the park watchman or any of his assistants shall have full power and authority to impound them, or any of them, and if the said animals or any of them are not called for by their respective owners within forty-eight hours after the impounding of the same, it shall be lawful for the city authorities to sell and dispose of the said animals or kill the same.¹

Tearing down
notices.

(13) No person shall injure, deface or destroy any notices, rules or regulations for the government of the common, posted or in any other manner permanently fixed by order or permission of the commissioners of Penn's Common, within the limits of the same.

Leading of
horses.

(14) No person shall be permitted to bring or lead horses within the limits of Penn's Common, or a horse that is not harnessed and attached to a vehicle, or mounted by an equestrian.

Fakirs.

(15) No person shall expose any article for sale within the common, without the previous license of the commissioners.

Musical enter-
tainments, etc.
Parades or fu-
neral proces-
sions.

(16) No person shall have any musical, theatrical or other entertainment therein, nor shall any military or other parade or procession, or funeral, take place in or pass through the limits of the common, without the license of the common commissioners.

Public meet-
ings.

(17) No gathering or meeting of any kind, assembled through advertisement, shall be permitted in the common without the previous permission of the commissioners.

Games of
sport.

(18) No person shall engage in any play at base ball, cricket, shinney, foot ball, croquet, or at any other games with ball and bat, nor shall [any] foot race or horse race be permitted within the limits of the common, except on such grounds only as shall be specially designated for such purpose.

¹ This rule amended as above by ordinance of June 26, 1895, Jour. 1895-96, App. 549.

21. Any person who shall violate any of said rules and regulations shall be guilty of a misdemeanor, and for each and every such offence shall pay the sum of five dollars, to be recovered before any alderman of the city of Reading, with costs, together with judgment of imprisonment not exceeding thirty days, if the amount of said judgment and costs shall not be paid, which fines shall be paid into the city treasury for common purposes.¹

¹ These rules are supplemented by a series of additional regulations adopted by the board of park commissioners, June 14, 1895, prescribing the duties of the superintendent, gardener and park police.

Clerks of Councils.

1. Election of clerk of select council.

2. Term.

3. Duties.
4. Salary.

5. Repeal.

6. Duties of clerk of common council.

1. That the office of clerk of select council be and the same is hereby established. Said clerk of select council to be elected on the day fixed for the organization of council, or as soon thereafter as practicable ; a majority of the votes cast shall be necessary for an election.

2. The term of office of the said clerk shall be one year, or until his successor shall have been duly elected and qualified.

3. That it shall be the duty of the said clerk to keep a regular and accurate journal of the acts and proceedings of the said branch and prepare the same for printing, together with a calendar of unfinished business at each stated meeting ; he shall also act as clerk of councils in joint convention.

4. That the salary of the clerk of select council shall be three hundred dollars per annum, payable as the salaries of other city officials are payable.¹

5. That the ordinance, entitled “An ordinance defining the duties and fixing the bond and salary of the clerk of select council,” approved by the mayor December 24th, 1875, and any other ordinance or ordinances, or part of ordinance or ordinances conflicting with the provisions of this ordinance, be and the same are hereby repealed so far as the same affects this ordinance.

6. It shall be the duty of the clerk of the common council to keep a regular and accurate journal of the proceedings of said branch and prepare the same for printing, together with a calendar of unfinished business at each stated meeting.²

¹ By Section 4 of the act of March 21, 1865, creating the Reading Water Board (*ante*, p. 136), the clerk of select council is *ex-officio* secretary of that body. His annual salary in that capacity is three hundred and sixty dollars.

² The annual salary of the clerk of common council remains at two hundred and fifty dollars, as fixed by the salary ordinance of February 17, 1877, (*Jour.* 1876-77, App. 183), those of all other officers therein named having been changed by subsequent legislation.

REVISED ORDINANCES

— OF THE —

CITY OF BOULDER

Published by Authority of the City.

OSCAR F. A. GREENE,
COMPILER.

1899:
Printed by Ricketts & Kerr, at The News Office,
BOULDER, COLORADO.

Case 1:22-cv-00695-JLS Document 77-8 Filed 05/31/24 Page 20 of 96

MAR 11 1909

thirty-two in township one north of range seventy west, is hereby named and shall hereafter be known as VALVERDAN PARK.

510. Washington Park.

SEC. 5. That the city property in the west half of the south-west quarter of section twenty-five in township one north of range seventy-one west, shall be named and hereafter known as WASHINGTON PARK.

PARKS.

An Ordinance for the Protection of the Several Parks Belonging to the City and of the Buildings and Reservoirs and Trees and Other Improvements at and Within Said Parks, and to Provide Penalties for Injuring the Same.

Passed October 4, 1898.

(With amendment as noted.)

511. No firearms or shooting in.

SECTION 1. Any person other than the police officers of the city who shall take or carry or cause to be taken or carried into any of the parks belonging to the City of Boulder, any gun, pistol, revolver, or other firearm, or who shall shoot any firearm at or towards or over or into or upon any of said parks, shall be deemed guilty of a misdemeanor. (As amended August 2, 1899.)

512. No powder or explosives in.

SEC. 2. Any person who shall take or carry or cause to be taken or carried into any of said parks, any powder of any quality or kind or any explosive or dangerous or inflammable or combustible substance, shall be deemed guilty of a misdemeanor.

513. No fires or explosives.

SEC. 3. Any person who shall start any fire or cause or permit to be started any fire in any of said parks, not

being thereunto first authorized by the Mayor, or who shall in any of said parks fire or explode any fire-crackers, torpedoes, or any other substance or thing containing powder or other explosive substance, shall be deemed guilty of a misdemeanor.

514. Injury to property.

SEC. 4. Any person who shall deface, tear down, destroy or injure in any manner whatsoever any fence, building, furniture, seat, structure, excavation, post, bracket, lamp, awning, fire plug, hydrant, water pipe, tree, shrub, plant, flower, railing, bridge, culvert, or any other property whatsoever belonging to the city or to any private corporation or persons in, at or upon any of said parks, shall be deemed guilty of a misdemeanor.

515. Injury continued.

SEC. 5. Any person who shall injure or damage in any manner whatsoever any property of the city at, in or upon any of said parks by cutting, hacking, bending, breaking, burning, daubing with paint or other substances, hitching of horses or other animals, or by means of fire, or by effecting such acts in any other manner, shall be deemed guilty of a misdemeanor.

516. Violation—Misdemeanor Penalty.

SEC. 6. Any person upon conviction of any misdemeanor specified in any of the five preceding sections herein shall be fined not less than five and not more than three hundred dollars.

PARKS.

An Ordinance in Relation to Cottages in Texado Park.

Passed April 17th, 1899.

WHEREAS, a contract was made on, to-wit, the 19th day of March, A. D. 1898, at Boulder, Colorado, by and

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CITY OF TRENTON,
NEW JERSEY.

CHARTER AND ORDINANCES;

ALSO CERTAIN

ACTS OF THE LEGISLATURE RELATING
TO MUNICIPAL DEPARTMENTS,

AND

A TABLE OF CASES CITED IN THE FOOT NOTES.

Revised, Compiled and Published
BY ORDER OF THE COMMON COUNCIL.

TRENTON, N. J.:
THE JOHN L. MURPHY PUBLISHING CO., PRINTERS.
1903.

to the amount to be raised by taxes in said city; and said portion of the principal so raised shall be paid yearly to the sinking fund commission of the city of Trenton, to be used exclusively for the liquidation of said bonds; *provided, however*, that whenever the amount of moneys in the hands of said commission shall be sufficient for the redemption of said bonds, no further sums shall be raised by taxation.

When to take effect.

9. That this ordinance shall take effect immediately.

An Ordinance providing for the government and protection of public parks and squares of the city of Trenton.

Vol. 6, p. 181.

Approved June 26th, 1890.

The Inhabitants of the City of Trenton do ordain:

Rate of speed for driving or riding.

1. No one shall drive or ride in Cadwalader park at a rate exceeding seven miles an hour.

Driving, where allowed.

2. No one shall ride or drive in or upon any of the public squares of this city or upon any other part of said park than upon its avenues and roads.

What vehicles not allowed in park.

3. No vehicle of burden or traffic shall pass through said park.

How persons shall enter.

4. No person shall enter or leave said park or squares except by such gates or avenues as may be for such purpose arranged.

Wagons not to stand in park for hire.

5. No coach or vehicle used for hire shall stand upon any part of said park for the purpose of hire.

No threatening language to be used.

6. No person shall indulge in any threatening, abusive, insulting or indecent language in said park or squares.

No obscene act to be permitted.

7. No person shall engage in any gaming nor commit any obscene or indecent act in the said park or squares.

No person to carry firearms.

8. No person shall carry firearms or shoot birds in said park or squares, or within fifty yards thereof, or throw stones or other missiles therein.

No person to annoy any of the animals.

9. No person shall disturb the fish or water fowl in the pools, ponds or other waters, or birds in any part of said park or squares, or annoy, strike, injure, maim or kill any animal kept by direction of common council or the park committee thereof, either running at large or confined in a close, nor discharge any fireworks nor affix any bills therein.

Not to deface trees or buildings.

10. No person shall cut, break or in anywise injure or deface the trees, shrubs, plants, turf, or any of the

SPECIAL ORDINANCES.—PARKS.

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outbuildings, fences, bridges, structures or statuary, or foul any fountains or springs within said park or squares.

11. No person shall throw any dead animal or offensive matter or substance of any kind into any pool, pond or other waters within the boundaries of said park or squares.

Not to throw any offensive matter in water.

12. No person shall go into bathe within said park.

Bathing prohibited.

13. No person shall turn cattle, goats, swine, horses, dogs or other animals loose in said park or squares.

No animals to go loose in park.

14. No person shall injure, deface or destroy any notices, rules or regulations for the government of the said park or squares, posted or in any other way permanently fixed by order or permission of the common council or the park committee thereof, within the limits of the same.

Notices not to be defaced.

15. That for each and every violation of any of the foregoing provisions of this ordinance the person or persons so violating shall forfeit and pay a fine of ten dollars, to be enforced and collected according to law.

Penalty.

An Ordinance to name the Five Points "Monument Park."

The Inhabitants of the City of Trenton do ordain:

1. That, the locality commonly known as the Five Points, being that portion of the city bounded and described by Pennington avenue on the north, Broad street on the east, the southerly line of the lands recently purchased by the city of Trenton for a public park, by an ordinance passed common council February twenty-first, one thousand eight hundred and ninety-three, entitled "An ordinance to authorize the purchase of lands for the purposes of a public park," on the south, and the line of North Warren street, on the west, shall be hereby designated and known as "Monument Park."

Ordinance of June 28th, 1898, Sec. 1, Vol. 6, p. 411.

2. That all ordinances or parts of ordinances inconsistent herewith, be and the same are hereby repealed.

Ib., 22.

**Chicago School of Civics
and Philanthropy.**

AMENDMENTS TO

**“The Revised Municipal Code of Chicago
of 1905”**


(PASSED MARCH 20, 1905)

AND

New General Ordinances

**Passed by the City Council of the City of Chicago
Between March 20, 1905, and
December 31, 1906**

**Compiled and Arranged by
EDWARD J. PADDEN
Chief Clerk**



PRINTED BY ORDER OF THE CITY COUNCIL

**ADRIAN C. ANSON
City Clerk
Chicago, Illinois**

DECEMBER, 1906



Ground or Bathing Beach of the City is enclosed, no person shall enter or leave the same except by the gateways. No person shall climb or walk upon the walls or fences thereof. Any of the entrances to such Parks, Public Play Grounds or Bathing Beaches of the city may be closed at any time by the direction of the officer or employee in charge of same.

1561. Animals Prohibited].—No person shall turn or lead any cattle, horses, goat, swine or other animals into any of such Parks, Public Play Grounds or Bathing Beaches.

1562. Firearms—Missiles].—All persons are forbidden to carry firearms or to throw stones or other missiles within any of the Parks, Public Play Grounds or Bathing Beaches of the City, and all persons are forbidden to cut, break or in any way injure or deface trees, shrubs, plants, turf or any of the buildings, fences, bridges or other construction or property contained therein.

1563. Peddling and Hawking Prohibited].—No person shall expose any article or thing for sale within any such Parks, Public Play Grounds or Bathing Beaches, nor shall any hawking or peddling be allowed therein.

1564. Indecent Words—Fortune Telling].—No threatening, abusive, insulting or indecent language shall be allowed in any part of such Parks, Public Play Grounds or Bathing Beaches; nor shall any conduct be permitted whereby a breach of the peace may be occasioned; nor shall any person tell fortunes or play any game of chance at or with any table or instrument of gaming, nor shall any person commit any obscene or indecent act therein.

1565. Bill Posting Prohibited].—No person shall post or otherwise affix any bills, notice or other paper upon any structure or thing within any such Park, Public Play Ground or Bathing Beach belonging to the city, nor upon any of the gates or inclosures thereof.

1566. Prohibited Uses].—No person shall play upon any musical instrument, nor shall any person take into, or carry or display in any Park, Public Play Ground or Bathing Beach, any flag, banner, target or transparency, nor shall any military company parade, drill, or perform therein, any military or other evolutions or movements, without a special permit from the Special Park Commission.

1567. Bonfires].—No person shall light, make or use any bonfire in any such Park, Public Play Ground or Bathing Beach.

1568. Grass].—No person shall go upon the grass, lawn or turf



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OSCOLA 4th ed.
" 1905 598

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H. F. No. 794.

CHAPTER 344.

Game
and fish.

An act for the preservation, propagation, protection, taking, use and transportation of game and fish, and certain harmless birds and animals.

GENERAL PROVISIONS.

Be it enacted by the Legislature of the State of Minnesota:

Term of
present com.

SECTION 1. Game and Fish Commission—Appointment—Terms—A state game and fish commission is hereby created, consisting of five (5) members to be appointed by the governor for a term of four (4) years each. Those heretofore appointed pursuant to chapter three hundred thirty-six (336) of the laws of 1903 shall continue in office until the expiration of their respective terms. Vacancies arising from any cause shall be filled by the governor. Members shall serve without compensation except for necessary expenses to be paid upon an itemized statement thereof duly audited by said commission.

SEC. 2. Office—Said commission shall have an office in the capitol and be supplied with suitable stationery, a seal and blanks and postage for the transaction of its business.

SEC. 3. General Powers—Duties—Said commission shall enforce the laws of this state involving the protection and propagation of all game animals, game birds, fish and harmless birds and animals.

Said commission shall have general charge of—

Propagation
and pro-
tection.

1. The propagation and preservation of such varieties of game and fish as it shall deem to be of public value.

Statistics.

2. The collection and diffusion of such statistics and information as shall be germane to the purpose of this act.

Fish
hatcheries.

3. The construction, control and management of all state fish hatcheries, including the control of grounds owned or leased for such purposes.

Spawn or
fry from
U. S. com.
of fisheries
and others.

4. The receiving from the United States commissioner of fisheries or other person, and the gathering, purchase and distribution to the waters of this state, of all fish spawn or fry.

Stocking
of waters.

5. The taking of fish from the public waters of the state for the propagation and stocking of other waters therein.

6. The seizure and disposition of all game birds, game animals and fish, either taken, killed, transported or possessed contrary to law, of all dogs, guns, seines, nets, boats, light, or other instrumentalities unlawfully used or held with intent to use, in pursuing, taking, attempting to take, concealing or disposing of the same.

Seizure and disposition.

SEC. 4. Reports—Records—Said commission shall on or before December 1st of each year, submit to the governor a detailed report of its actions, including the amount of money received from all sources, an inventory of all game, fish, guns, dogs, seines, nets and other property seized and sold, with the names of the purchasers, and the amount received, and an itemized statement of its disbursements. The books and vouchers of said commission shall be subject to examination by the public examiner at all times.

Report to governor annually before Dec. 1.

Subject to examination by public examiner.

SEC. 5. Executive Agent—The commission shall appoint one of its members its executive agent, who shall devote all his time to the discharge of his duties, and shall receive compensation therefor to be fixed by the said commission, not exceeding two thousand (\$2,000) dollars per year. He shall act as such executive agent during the pleasure of the commission and be subject to its direction. When the commission is not in session, he is hereby authorized to exercise in its name, all the rights, powers and authority vested in said commission. Before entering upon the discharge of his duties he shall give a bond to the State of Minnesota, with sureties or security to be approved by the commission, in the penal sum of five thousand dollars (\$5,000), conditioned for the faithful accounting of all state property coming into his hands.

Appointment of executive agent, salary, duties, etc.

Bond.

SEC. 6. Employees—The commission may appoint and remove at pleasure, a superintendent of fisheries, at a salary not exceeding three thousand dollars (\$3,000) a year, and such assistants as may be necessary. It may also employ a sufficient number of game wardens, other persons, and office assistants, as may be necessary to carry out the purposes of this chapter, and fix their periods of service and compensation.

Supt. of fisheries, game wardens and office force.

SEC. 7. Other Officials—Attorney—The county attorneys, sheriffs, constables and other peace officers, are hereby required, and it is made their duty, to enforce the provisions of this chapter and the commission may employ an attorney or attorneys to perform such legal services as said commission may require. He shall appear

Duties of Co. Attorney and others.

for said commission in all civil actions in which it or its wardens may be interested officially, and may assist the county attorney in the prosecution of criminal actions arising under this chapter, and when for any reason the county attorney does not prosecute such criminal actions, he may conduct such prosecutions on behalf of the state with the same authority as the county attorney. The compensation to be paid said attorney shall be fixed by the commission and paid out of the funds provided for the enforcement of this act.

Who may
serve.

SEC. 8. Execution of Writs.—The executive agent of said commission, all members and all wardens appointed by said commission, shall have full power and authority to serve and execute all warrants and process of law issued by the court in enforcing the provisions of this act, or any other law of this state relating to the preservation and protection of game and fish, in the same manner as any constable or sheriff may serve and execute the same and for the purpose of enforcing the provisions of this chapter, they may call to their aid any sheriff, deputy sheriff, constable or police officer, or any other person, and it shall be the duty of all sheriffs, deputy sheriffs, constables or police officers and other persons, when called upon, to enforce and aid in enforcing the provisions of this chapter.

SEC. 9. Bonds—The following appointees shall give bonds to be approved by the commission and filed in the office of the secretary of state, conditioned for the faithful discharge of their respective duties, in the following amounts:

Amount.

First—Superintendent of fisheries, one thousand dollars (\$1,000).

Second—Each game warden five hundred dollars (\$500).

Meaning of
words; sell,
sale, person,
possession,
etc., de-
fined.

SEC. 10. Terms Defined—Agency no excuse. The words “sell” and “sale” as used in this chapter shall be construed as meaning any sale of (or) offer to sell or having in possession with intent to sell, use or dispose of the same contrary to law. The word “person” shall be deemed to include partnerships, associations, and corporations, and no violation of any provisions of this chapter shall be excused for the reason that the prohibited act was done as the agent or employe of another, nor that it was committed by or through an agent or employe of the person charged. The word “possession” shall be deemed

to include both actual and constructive possession as well as the control of the article referred to. The terms "waters of this state" shall be held to include all the boundary waters of the state, and the provisions of this chapter shall be deemed to extend and be in force and effect over, upon and in all thereof. The terms "any part thereof" or "the parts thereof," whenever used in this chapter shall be deemed to include the hides, horns and hoofs of any animal so referred to, and the plumage and skin and every other part of any bird so referred to. The terms "fur bearing animals" shall not be deemed to include deer, moose or caribou.

SEC. 11. Inspection of Hotels, Etc.—The game and fish commission and all game wardens shall inspect from time to time hotels, restaurants, cold storage houses or plants and ice houses commonly used in storing meats, game or fish for private parties, including all buildings used for a like purpose, for the purpose of determining whether game or fish are kept therein in violation of the provisions of this chapter. Any person, in possession or control, or in charge of any hotel, restaurant, storage plant or building referred to, or any part thereof, who refuses or fails to permit any member of the game and fish commission or any warden appointed by said commission to enter any such building or any part thereof, or any receptacle therein; for the purpose of making such inspection, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty (50) or over one hundred (100) dollars, including costs of prosecution, or imprisonment in the county jail for a term of not less than thirty (30) or over ninety (90) days for the first offense, and upon conviction for a second offense shall be punished by imprisonment in the county jail for a period of not less than sixty (60) or over ninety (90) days.

Power to enter hotels, etc., to determine whether law is violated, given commission and its agents.

Inspection refused or hindered, penalty.

SEC. 12. Contraband Game, Seizure and Search—Any bird, animal, fish or any part thereof, caught, killed, shipped or had in possession or under control contrary to any of the provisions of this chapter, is hereby declared to be contraband.

The game and fish commission, all game wardens, sheriffs and their deputies, constables and police officers, shall seize and take possession of any and all birds, animals, or fish or any part thereof which have been caught, taken, killed or had in possession or under control or

Probable
cause suf-
ficient for
court to
issue such
warrant.

shipped contrary to any of the provisions of this chapter. Any court having jurisdiction may upon complaint showing probable cause for believing that any bird, animal, fish or any part thereof caught, taken, killed or had in possession or under control by any person, or shipped or transported contrary to the provisions of this chapter, is concealed or illegally kept in any building, car or receptacle, shall issue a search warrant and cause a search to be made in any such place for any such birds, animals, fish or any part thereof, and may cause any building, inclosure or car to be entered, and any apartment, chest, box, locker, crate, basket, package, or any other receptacle whatever to be broken, opened and the contents thereof examined. All such officers taking or seizing any such birds, animals or fish, or any part thereof, shall at once report all the facts attending the same to the commission.

Declared a
public
nuisance.
Command
to seize
and destroy
without
warrant.

SEC. 13. Contraband Devices—All nets, seines, lanterns, snares, devices, contrivances and materials, while in use, or had, or maintained, for the purpose of catching, taking or killing, or attracting or deceiving any bird, animal, or fish contrary to any provision of this chapter, within this state or upon or in the boundary waters thereof, including fish houses, inclosures or other sheltering structures or appliances erected or maintained upon the ice or in any water, or on the shore of any lake, pond or stream, is hereby declared to be and is a public nuisance. The commission, all game wardens, sheriffs and their deputies, constables and police officers shall without warrant or process, take, seize, abate and destroy any and all of the same while being used, had or maintained for such purpose and no liability shall be incurred therefor to any person.

Participant's
testimony
not incrim-
inating.

SEC. 14. Witnesses—In any prosecution under the provisions of this chapter, a participant in the violation thereof may testify as a witness against any other persons violating the same, without incriminating himself, any criminal proceeding for such violation.

Prosecutions
must be
made within
2 years.

SEC. 15. Limitations—All prosecutions under this chapter shall be commenced within two years (2) from the time the offense was committed.

For breeding
and scientific
purposes.

SEC. 16. Exchange Specimens—The commission may secure by purchase or otherwise, and exchange specimens of game birds, game animals or fish with the game commission or state game warden of other states for breeding purposes, and not otherwise; and may also grant

permission under the seal of said commission, to any accredited representative of any incorporated society of natural history to collect for scientific purposes only, nests, eggs, birds, animals or fish protected by this chapter. Such specimens shall not be sold or transferred.

SEC. 17. Fishways—Any person owning, erecting, managing or controlling any dam or other obstruction across any river, creek or stream, within or forming the boundary line of this state, shall construct in connection with such dam, durable and efficient fishways in such a manner and of such shape and size that the free passage of all fish inhabiting such waters shall not be obstructed. Such fishways shall be maintained in such condition and kept in good repair by the person so owning, controlling, managing, operating or using such dam or obstruction.

Dams to
have free
passageways.

If any such person fails to construct or keep in good repair durable and efficient fishways as herein provided, for the space of ten (10) days after notice, the commission may construct or repair the same and the cost thereof may be recovered from the owners or any person managing or being in control thereof, in a civil action brought in the name of the State of Minnesota. Any money so recovered shall be credited to the game and fish commission.

Failure to
construct
or keep.

All fishways heretofore or hereafter erected in any dam or obstruction across any of the streams of this state, shall at all times be under the supervision and control of the commission.

To be under
supervision.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor.

SEC. 18. Sawdust Deposits—Any person who deposits any sawdust or other refuse in any streams or water wherein the commission has deposited fish fry, or may deposit any such fry, or where any brook trout naturally abound, shall be deemed guilty of a misdemeanor.

A crime.

SEC. 19. Disposition of fines—All fines collected under any of the provisions of this chapter shall be paid into the county treasury of the county wherein the conviction was had, to the credit of the general revenue fund.

Paid in to
Co. treasury.

SEC. 20. Disposition of Other Moneys—All moneys collected by the commission upon licenses issued by it, or bonds or contracts entered into with any person, including money received from all other sources, except fines, shall be paid into the state treasury and credited to the game

Credited to
game and
fish commis-
sion fund.

and fish commission fund to be used for the purpose of enforcing the provisions of this chapter.

To other
than game
wardens.

SEC. 21. Rewards—The commission is authorized to offer and pay out of the funds subject to its order, a reward of ten dollars (\$10) for the arrest and conviction of any person violating any provision of this chapter, to the person making such complaint, upon proof that a fine amounting to ten dollars (\$10) has been paid into the county treasury by the person so convicted, *provided, further*, this section shall not apply to game wardens regularly employed under pay by said commission.

Permits.

SEC. 22. Domesticated game and fish: Complaint—Presumption. The commission may issue permits to breed or domesticate deer, moose, elk and caribou upon application to it which shall contain:

1. The name and address of applicant.
2. A description of the premises on which applicant will keep such domesticated animals.
3. The number and kinds of animals in possession at the time of making the application and whether they are wild or domesticated.

Application
fee, report.

The application shall be accompanied by a fee of fifty cents (.50) for each animal in possession. The commission may thereupon issue a permit to the applicant to keep such animals. Any person holding such permit shall annually on the first day of January report to the commission any increase or decrease had upon the original number applied for, together with a fee of 50 cents for each additional animal. The commission shall keep a record of all persons holding such permits and shall send to them numbered tags to be attached to each of the animals.

To sell, or
ship.

Any such animals may be sold or shipped within or without the state upon receipts of written permission to do so from the commission.

Private
hatcheries.

Persons desiring to maintain a private hatchery for the propagation of trout may do so upon application to said commission giving the name and address of the person owning or controlling the same and a mark used to designate it. Trout grown in such hatcheries may be sold and shipped within or without the state in boxes or packages upon which such mark is placed.

Evidence as
to violations.

Provided, however, that in any prosecution for any violation of any of the provisions of this chapter it shall not be necessary for the prosecution to allege or prove that the birds or animals were not domesticated or that

the trout were not grown in a private hatchery or that the birds, animals or fish were not taken for scientific purposes, but the person claiming that such birds, or animals were domesticated, or the trout grown in a private hatchery, or that the said birds or animals were taken for scientific purposes, as herein provided, shall prove on the hearing or trial that such birds or animals were domesticated, or that such trout were grown in a private hatchery or that such birds or fish were taken for scientific purposes as by law provided, or were not caught, taken or killed outside this state, or had in possession without license or permit therefor.

GAME BIRDS AND ANIMALS.

SEC. 23. Ownership in State—No person shall at any time or in any manner acquire any property in, or subject to his dominion or control, any of the birds, animals or fish or any part thereof of the kinds herein mentioned, but they shall always and under all circumstances be and remain the property of this state; except, that by killing, catching or taking the same in the manner and for the purposes herein authorized, and during the periods when their killing is not herein prohibited, the same may be used by any person at the time, in the manner and for the purposes herein expressly authorized; and whenever any person kills, catches, takes, ships or has in possession, or under control, any of the birds, animals or fish, or any part thereof, mentioned in this chapter, at a time or in a manner prohibited by this chapter, such person shall thereby forfeit and lose all his right to the use and possession of such bird, animal or fish, or any part thereof, and the state shall be entitled to the sole possession thereof.

Except as in
this act pro-
vided.

SEC. 24. Nests and Eggs—No person shall at any time take or have in possession or under control, break up or destroy or in any manner interfere with any nest, or the eggs of any of the kinds of birds, the killing of which is at any or all times prohibited.

Prohibitions.

SEC. 25. Manner of Taking—No person shall at (any) time, catch, take or kill any of the birds or animals mentioned in this chapter, in any other manner than by shooting them with a gun held to the shoulder of the person discharging the same.

Do.

SEC. 26. Traps, Snares, Lights, Etc.—No person shall at any time set, lay, prepare, or have in possession

Do.

any trap, snare, artificial light, net, bird lime, swivel gun or set gun or any contrivance whatever, for the purpose of catching, taking or killing any of the game animals or birds in this chapter mentioned, except that decoys and stationary blinds may be used in hunting wild geese, brant and ducks.

Decoys.

Further prohibitions.

SEC. 27. Shooting After Dark—Sink—Boats, Etc.—No person shall at any time hunt with or shoot from any boat, canoe or contrivance or device whatever on any of the waters in this state between dark and daylight, and no person shall at any time make use of, hunt with or shoot from any floating battery, sink boat, sunken barrels, boxes, tubs, floating blinds or any similar device whatever, on any of the waters of this state.

Do.

SEC. 28. Shooting With Dogs—No person shall hunt, pursue, catch, take or kill any of the animals in this chapter mentioned, with any dog or dogs. Any dog or dogs used or attempted to be used in violation of any of the provisions of this section is hereby declared to be and is a public nuisance, and it shall be lawful for any person to kill any dog or dogs so being used or attempted to be used. The use or running of either pointer or setter dogs in fields or upon lands frequented by or in which game birds may be found during the month of August, or at any time except during the open season for killing game birds, and the keeping and maintaining of any dog at or about any hunting camp or lumber camp used by hunters, situated in any locality frequented by deer, moose or caribou, is hereby prohibited and made unlawful.

Do.

SEC. 29. Entering Growing Grain—No person shall at any time enter into any growing or standing grain not his own with intent to take, or kill any bird, or animal, nor permit any dog with which he shall be hunting to do so for such purpose, without permission from the owner or person in charge thereof. No person shall at any time enter upon any land not his own with intent to take or kill any birds or animals after being notified by the owner or occupant thereof not to do so. Such notice may be given orally or by posting written or printed notices to that effect, in the English language, in conspicuous places on the land so protected.

Do.

SEC. 30. Game Killed in Another State—No person shall at any time have in his possession or under his control within this state any bird, animal or fish, or any

344] OF MINNESOTA FOR 1905. 607

part thereof, which has been caught, taken or killed outside of this state at a time when it is unlawful to have in possession or under control such birds, animals or fish, or parts thereof, if caught, taken or killed in this state, or which have been unlawfully taken or killed outside this state, or unlawfully shipped therefrom into this state.

SEC. 31. Possession of Game and Fish, Presumption—The possession or having under control by any person of any bird, animal or fish, or any part thereof, the killing of which is at any time herein prohibited, shall be prima facie evidence that it was the property of this state at the time it was caught, taken and killed (in this state), also that such possession or having under control at any time when the killing, taking or possession thereof is by this chapter declared to be unlawful, shall be prima facie evidence that such taking and killing occurred during the closed season, unless there remains attached to such game bird or animal or any part thereof, the tag and seal of the state game and fish commission, provided for by this chapter to disprove which it shall be necessary for the party in possession thereof to show that at the time it was caught, taken or killed, it was lawfully caught, taken or killed outside, or within this state, or that it was lawfully caught, taken or killed within the state and that he was lawfully in possession thereof.

Prima facie evidence of possession.

SEC. 31½. Nothing in this act shall be construed as prohibiting the buying, shipping or having in possession at any time the skins of fur-bearing animals killed within or without the state, or hides of moose, deer or caribou killed without the state upon proof that the hides were so taken. *Provided, however,* that raw hides of moose, deer or caribou taken or killed within this state out of season shall not be bought or sold at any time.

Skins of fur bearing animals.

SEC. 32. Game Birds—Season for Killing—No person shall hunt, take, kill, ship, convey or cause to be shipped or transported by common or private carrier, to any person either within or without the state, expose for sale, sell to any one, have in possession with intent to sell, or have in possession or under control, at any time, any turtle dove, snipe, prairie chicken, pinnated, white-breasted or sharp-tailed grouse, quail, partridge, ruffed grouse. Chinese, ring-neck or English pheasant, wild duck of any variety, wild goose of any variety, brant or any variety of aquatic fowl, whatever, or any part there-

Prohibitions.

Open season.

of, except: 1—That any turtle dove, snipe, prairie chicken, pinnated, white-breasted or sharp-tailed grouse, woodcock, upland plover and golden plover may be killed and had in possession between the first day of September and the first day of November following. 2nd—That any quail, partridge, ruffed grouse or pheasant, other than Mongolian, Chinese ring-neck or English pheasant, may be killed or had in possession between the first day of October and the first day of December following. 3rd—That wild duck of any variety, wild goose of any variety, brant or any variety of aquatic fowl whatever, may be killed and had in possession between the first day of September and the first day of December following.

Number of
birds
allowed.

And when any of the birds mentioned in this section have been lawfully caught, taken, killed or had in possession within the time herein allowed, they may be had in possession for five (5) days thereafter. But no person shall in any one day take or kill more than fifteen (15) birds or have in his possession at any time more than forty-five (45) turtle dove, prairie chicken, white-breasted or sharp-tailed grouse, quail, partridge, ruffed grouse or pheasant, woodcock, upland plover, golden plover or any or all of the same combined, or fifty (50) snipes, wild duck, goose, brant, or any variety of aquatic fowl, whatever, or any or all of the same combined.

Open season.

Number of
deer and
moose
allowed.

SEC. 33. Deer and Moose—Season for Killing—No person shall hunt, catch, take, kill, ship, convey or cause to be shipped or transported by common or private carrier, to any person, either within or without the state, or purchase expose for sale, have in possession with intent to sell, sell to any person, or have in possession or under control at any time, any elk, moose, caribou, deer or fawn, or any part thereof, including the hides and horns, except as hereinafter provided. *Provided*, that deer may be killed between Nov. 10 and Nov. 30 of the same year, and any deer or any part thereof, may be had in possession by any person during the same time; but no person shall kill or have in possession during said time more than two (2) deer, or parts thereof; and *provided further*, that any person who is lawfully in possession of any deer, or any part thereof, may ship or cause the same to be shipped in the manner provided for by this chapter, but not otherwise; and *provided, further*, that male antlered moose may be killed between Nov. 10th and Nov. 30th of the same year, and any such male moose, or

part thereof, may be had in possession by any person during the time aforesaid, but no person shall kill or have in possession during said time more than one (1) male moose, or part thereof; and *provided, further*, that when any deer or such male moose or any part thereof, are lawfully in the possession of any person as provided for in this chapter, such person may continue in the possession of the same for five (5) days after the time herein limited for killing said animals; and *provided, further*, that no cow or female moose can be killed or had in possession at any time.

SEC. 34. Resident License—Shipment of Game—Every resident of this state is prohibited from hunting, taking or killing any game bird or game animal, unless he shall have first procured a license therefor from the county auditor of the county in which he resides; except that any citizen of this state may hunt, take or kill any of the game birds mentioned in this chapter in the county in which he is a bona fide resident without having a license to so hunt. Said auditor shall upon application issue to such person under his seal, upon blanks to be furnished him by the game and fish commission, a license to hunt game animals and game birds, upon the payment to him of a license fee of one dollar (\$1), which license shall expire on the 31st day of December following its issuance. Ten cents of the amount received for the issuance of said license shall be retained by the county auditor as his fee, and the balance remitted to the state treasurer, who shall credit the same to the game and fish commission fund to be used for the purpose of enforcing the provisions of this chapter. Every such applicant shall prove to the satisfaction of the county auditor that he is a bona fide resident of this state, and shall state, under oath, his name, resident and postoffice address. Only one of such licenses shall be issued to any person and it shall not be transferable, and it is hereby made the duty of such licensee to exhibit the same to any person upon request. Such license shall describe the licensee, designate his place of residence, and shall have attached thereto three (3) coupons upon which shall be printed respectively the words, "moose," "deer," and "game birds." Each coupon, except the ones marked "deer" and "game birds," shall be divided into two (2) sections lettered respectively "A" and "B." The coupons marked "deer" and "game birds" shall be divided into four (4) sections, two (2) of which

No license
required
in home
county.

County
auditor's
issue.

License,
coupons, etc.

Shipping
game.

shall be lettered "A" and two (2) "B." Any resident who has paid said fee and procured such license to hunt game animals and game birds may during the open season hunt, take and kill one (1) male antlered moose, two (2) deer and also game birds, in the manner and subject to the limitations and conditions prescribed by this chapter, and may ship by common carrier in the manner herein provided, and not otherwise, to any point in the county in which he resides, one (1) male antlered moose, and two (2) deer, or any part thereof, and fifty (50) game birds, in two shipments of not to exceed twenty-five (25) birds, each, so lawfully shot or had in his possession. Said game animals and game birds may be shipped by said licensee to himself at his place of residence by common carrier, upon attaching to such game animals or any part thereof, or game birds, respectively, section "B" of said coupon. Upon receiving such game it is made the duty of said common carrier to detach from the license section "A" of said coupon and at once forward the same by mail to the game and fish commission.

Game as
baggage.

Provided, however, that nothing in this chapter contained shall be deemed or construed to prevent any resident of this state from personally carrying with him as baggage, on any train or conveyance, any game birds or fish which may be legally in his possession and any common carrier is hereby permitted to carry any such game birds or fish as baggage, when the same is so accompanied and carried on the same train or conveyance by the person who is legally in possession of the same.

Prohibition
as to em-
ployes of
common
carriers.

Provided further, that nothing herein contained shall be construed to permit employes of a common carrier to carry any such game birds, animals or fish or parts thereof with them, whether as baggage or otherwise, while engaged in the performance of the duties of their said employment, and they are specifically prohibited from so doing.

Fee.

SEC. 35. Non-resident License—Shipment of Game—Every person not a resident of this state is prohibited from hunting, taking or killing any game bird or game animal unless he shall have first procured a license therefor from the game and fish commission. Said commission shall upon application issue to any non-resident, a license to hunt game animals, upon the payment to it of a license fee of twenty-five dollars (\$25) and to hunt game birds upon the payment to it of a license fee of

ten dollars (\$10), which license shall expire on the 31st day of December following its issuance.

Said license to hunt game animals shall describe the licensee, designate his place of residence, and shall have attached thereto two (2) coupons divided into three (3) sections, lettered respectively "A," "B" and "C." The words "deer" and "moose" shall be printed upon the coupons attached thereto. Any non-resident who has paid said fee and procured such license to hunt game animals, may during the open season, kill in the manner authorized by this chapter, one (1) male antlered moose, and one (1) deer, and also ship such deer so killed by him to his said place of residence outside the state, upon attaching to such game animal, or any part thereof, respectively, sections "B" and "C" of said coupon, and ship such moose to any place within the state by attaching section "B" of said coupon. Upon receiving said game, it is the duty of said common carrier to detach from the license section "A" of said coupon and at once forward the same by mail to the commission. Sections "B" and "C" of said coupons must remain on said deer, or part thereof, so shipped outside the state while in transit in this state, and section "C" of said coupon must be detached by said common carrier at the last station or place in this state where the train or other conveyance of such common carrier shall stop, and it shall be the duty of said common carrier to forward section "C" of said coupon to the game and fish commission immediately upon being detached.

Shipping
game by
non-resident.

Said license to hunt game birds shall describe the licensee, designate his place of residence and shall have attached thereto one (1) coupon divided into three (3) sections, lettered respectively, "A," "B" and "C." The words "game birds" shall be printed upon the coupon attached thereto. Any non-resident who has paid said fee and procured a license to hunt game birds, may hunt, take and kill game birds, in the manner authorized by this chapter, during the open season, subject to the limitations applicable to residents of this state, and may ship to his place of residence outside this state twenty-five (25) game birds so lawfully shot and taken by him, upon attaching to such game birds sections "B" and "C" of said coupon. Upon receiving said game birds, it is the duty of said common carrier to detach from the license section "A" of said coupon, and at once forward the same by mail to

the game and fish commission. Sections "B" and "C" of said coupon must remain on said game birds while in transit in this state, and section "C" of said coupon must be detached by said common carrier at the last station or place in this state where the train or conveyance of such common carrier shall stop, and it shall be the duty of said common carrier to forward section "C" of said coupon to the game and fish commission immediately upon being detached.

Said licenses shall not be transferable, and it is hereby made the duty of said licensee to exhibit the same to any person upon request.

For viola-
tions of act.

SEC. 36. Forfeiture of License—Any person who shall violate any of the provisions of this chapter and who is at the time of such violation in the possession of a license duly issued to him, shall, upon conviction thereof, forfeit such license to the State of Minnesota, and such person shall deliver to the court before whom he was tried any such license, and the court shall forward the same to the commission.

Retaining
game during
closed sea-
son, appli-
cation.

SEC. 37. Retaining Game—Tags—Penalty—Any person who is a resident of this state and legally in possession of any of the game birds or game animals, or any part thereof, which have been caught, taken or killed at a time or in a manner permitted by the provisions of this chapter, and who is desirous of retaining possession of the same for his own use after the time in this chapter limited, and who shall before such time make application to the commission for leave to retain the same, which application shall be in writing and signed or sworn to by the applicant, and shall state:

First—The name and residence of the person in possession of such birds or animals, or parts thereof.

Second—The number, kind and location of said birds or animals or parts thereof, which number shall not exceed forty-five (45) turtle dove, prairie chicken, pinnated, white breasted or sharp-tailed grouse, quail, partridge, ruffed grouse or pheasant, woodcock, upland plover or golden plover, or any or all of the same combined, or fifty (50) snipe, wild duck, goose, brant or any variety of aquatic fowl whatever, or any or all of the same combined, two (2) deer or the parts thereof, one (1) male moose or the parts thereof for each applicant.

Third—That if permitted to retain the same by said commission the applicant will retain possession of said

birds and animals for his own use and will not ship, sell or dispose of the same.

If said commission is satisfied that said application is made in good faith and said applicant will keep said birds and animals and parts thereof for his own use and not for sale, the said commission shall cause tags or seals, which shall not be duplicated by others, and which shall not be removed, to be attached to each bird or animal, or parts thereof, not exceeding forty-five (45) turtle dove, prairie chicken, pinnated, white-breasted or sharp-tailed grouse, quail, partridge, ruffed grouse or pheasant, woodcock, upland plover or golden plover, or any or all of the same combined; or fifty (50) snipe, wild duck, goose or brant or any varieties of aquatic fowl whatever, or any or all of the same combined; two (2) deer or the parts thereof and one (1) male moose, or the parts thereof, for each applicant; or in lieu thereof, if any applicant therefor resides at a distance from any game warden, then the commission may issue to such applicant a written permit to keep and use such game.

Tag and
seals at-
tached to
game so
kept.

The person making such application shall, before said tags or seals are attached, pay to the commission the reasonable expense of making and attaching such tags and seals.

After the tags and seals have been so attached, or such permit received, the person holding such permit may, while the tags or seals remain upon said birds and animals and parts thereof, retain possession of the same until consumed; *provided*, that nothing in this chapter contained shall prevent a person from disposing of as a gift any of the birds and animals mentioned herein. The having in possession of any game bird or animal or any part thereof which is not so tagged and sealed, or for which a retention permit has not been received, except during the open season and five (5) days thereafter, is hereby made unlawful. Any such game bird or game animal, or any part thereof, had or held in possession by any person during the season when it is unlawful to have the same in possession, is hereby declared contraband and the right of any such person to retain or use the same shall cease. Any person who shall destroy, imitate or duplicate any tag or seal attached to any bird or animal, or part thereof, or who shall ship, sell or dispose of any bird or animal, or any part thereof, which has been tagged or sealed as aforesaid, or for which a permit to keep and use the same

Game kept
without per-
mit, contra-
band.

Fine.

has been issued, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five (\$25) nor more than fifty dollars (\$50) and costs of prosecution, or by imprisonment in the county jail for not less than thirty (30) nor more than sixty (60) days for each and every bird or animal or part thereof, so shipped, sold or disposed of.

Close season, exception.

SEC. 38. Mink, Muskrat, Otter, Beaver—No person shall catch, take or kill any mink, muskrat, otter or beaver between the first day of May and the first day of November following. *Provided*, that when any of the animals mentioned in this section are doing damage to or destroying any property the persons whose property is being damaged or destroyed may kill them at any time.

Prohibitions.

SEC. 39. Harmless Birds—Game Birds Defined—No person shall catch, take, kill, ship or cause to be shipped to any person within or without the state, purchase, offer or expose for sale, sell to any one, have in possession with intent to sell, or have in possession or under control at any time, living or dead, any wild bird other than a game bird, nor any part thereof, and for the purposes of this chapter the following only shall be considered game birds. The Antidas, commonly known as swan, geese, brant, river and sea ducks, the linolae, commonly known as plover, snipe and woodcock; the gallinae, commonly known as grouse, prairie chickens, pheasants, partridges and quail; *provided*, that blackbirds, crows, English sparrows, sharp-shinned hawks, cooper hawks and greathorned owls may be killed and had in possession at any time; but nothing herein contained shall be construed to prevent the keeping and sale of song birds as domestic pets.

Game birds defined.

Song and other birds.

FISH.

Closed season.

SEC. 40. Fish May be Taken, When. No person shall catch, take, kill or have in possession or under control, for any purpose whatever, and of the fish hereinafter mentioned within the periods herein limited, to-wit: Any variety of trout, except lake trout, between the first day of September and the fifteenth day of April following; any black, grey or Oswego bass between the first day of March and the twenty-ninth day of May following; any variety of pike, muskallonge, croppie, perch, sunfish, sturgeon, catfish or any other variety of fish between the first day of March and the first day of May following.

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SEC. 41. Manner of Taking—No person shall catch, take or kill more than twenty-five (25) fish, except sunfish, perch, pickerel or bullheads in any one day, nor in any other manner than by angling for them, with a hook and line held in the hand, or attached to a rod so held, nor with more than one line or with more than one hook attached thereto; and no person shall have in his possession any fish caught, taken or killed in any of the waters of this state, except as provided in this chapter.

Limitations.

Provided, that pickerel, suckers, redhorse, carp and bullheads may be taken with a spear without limit at any time and artificial lights may be used in so doing.

Spearing.

Provided further, that in all of the inland lakes in this state, permission having been granted therefor, but not otherwise, a net may be used for the purpose of taking and catching whitefish or trelipies from November tenth to December tenth of the same year. Said net shall not exceed two hundred (200) feet in length and four (4) feet in width, and the meshes of said net shall not be less than three and one-half ($3\frac{1}{2}$) inches in size of mesh when the same is extended.

Permission to use nets, size, etc.

Any person desiring to use any such net shall first make application for a permit therefor to the commission, in writing, and shall state that the said net is to be used by them for the purpose of obtaining fish for their own domestic use and not for the purpose of sale, which application shall be accompanied by a fee of one dollar (\$1.00) for each net, but no person shall be permitted to use more than two (2) of such nets.

SEC. 42. Netting in Mississippi River Within State—Except in certain portions of the Mississippi river hereinafter defined, and in certain defined boundary waters of the state, a pound net, seine or dip net may be used in the Mississippi river from the Falls of St. Anthony to a point one thousand (1,000) feet above the mouth of the St. Croix river for catching sturgeon, redhorse, dogfish, buffalo fish, catfish, pickerel, carp and suckers, but no such net or seine shall be used within a distance of one thousand (1,000) feet from the mouth of any stream, and that the said pound net shall not exceed seventy-five feet in length, and the length of such seine shall not exceed one hundred and fifty (150) feet. The mesh in said net or seine shall not be less than two and one-half ($2\frac{1}{2}$) inches in the bar and five (5) inches when the same is extended, and before any such pound net or seine is used

Limitations.

St. Croix river.

the person desiring to use the same shall first make application therefor to the game and fish commission of this state for permission to use such net or seine, which application shall state the name of the person and the place where the applicant desires to use the same, and which application shall be accompanied by a fee of five dollars (\$5.00) for every net desired to be used.

Permit for
1 season.

The commission may issue such a permit for the use of such net or seine to such applicant, which permit shall be for one season only. The person to whom such permit or license is issued shall not change the location of such net or seine without first giving written notice of his intention to do so to the commission, and in such notice describing the place to which he intends to remove his or her net or seine.

Commission
may li-
cense.

SEC. 43. Netting in International Waters—Penalty—The game and fish commission is hereby authorized to license the use, in international waters, of pound nets of the character and subject to the regulations hereinafter contained, and to issue licenses therefor.

Regulations.

The size of the mesh of the pot or pound of the pound net shall not be less than one and three-quarters ($1\frac{3}{4}$) inches, bar measure, or three and one-half ($3\frac{1}{2}$) inches extension measure. Said pound nets may be set in strings, but no string of such nets shall exceed three (3) in number and the leads of such nets shall in no case exceed the following lengths: The shore lead eighty (80) rods and the leads between the pounds or pots fifty (50) rods in length. Said net or string of nets shall not be less than twenty-five hundred (2,500) feet apart, nor within five hundred (500) feet of the mouth of any stream, and for every ten (10) miles of net set there shall remain an open space of five (5) miles where no net shall be set, which five (5) miles space shall be in excess of the twenty-five hundred (2,500) feet above mentioned. Any one desiring to use such nets or string of nets shall, before so doing, make written application for such privilege to the commission, setting forth therein the name of the applicant, the number of nets desired to be used, with an accurate description in detail of each net, the waters in which it is desired to set in, and a statement of the location of all other nets then in use in such waters situated within five thousand (5,000) feet of the place where it is desired to set such nets, which application shall be accompanied by a license fee of twenty-five dol-

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lars (\$25) for each net. The commission may issue a license to the applicant who shall be a citizen of the United States. Said license shall not be transferable and shall be good for one (1) fishing season only. Said license shall permit the use of so many of said nets at the place indicated in said application as the commission shall deem for the best interest of the state. Said commission shall retain twenty-five dollars (\$25) for each net so licensed. The commission shall not issue to any one person for the use or benefit of such applicant a license to use more than fifty (50) nets during a single fishing season and whenever more than one person shall apply for a license to fish in the same locality, the priority of such application shall be determined in such manner as the commission may designate. No such license shall be issued authorizing the use of any net or nets in international waters between the first day of April and the twentieth day of May following, and it shall be unlawful for any person to assist in placing or place any such net during such season :

Each applicant to whom a license is issued shall make a written report at the end of such fishing season to said commission, stating the number of nets used and where used by him, and the amount in number, kind and the pounds of each kind of fish taken by him in each net.

Report to
commission.

Any pound net, seine or dip net which is being used without a license or any pound net, seine or dip net which is being used in violation of a license, issued for its use, is hereby declared to be and is a public nuisance, and it shall be the duty of all the members of the commission, game wardens, sheriffs and their deputies, police officers and constables, without warrant or process, to take, seize, abate and destroy any and all of the same.

Seizure
without
warrant.

The commission, game wardens, sheriffs, and their deputies, police officers and constables, shall seize any and all nets and seines when illegally used and all fish taken therewith, and at once report the seizure to the commission.

Every person using, aiding or abetting the use of any such net contrary to the provisions of this section, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of one hundred dollars (\$100) or by imprisonment in the county jail for ninety (90) days for each and every net so illegally used.

Misdemeanor
penalty.

Not within
400 feet.

SEC. 44. Fishing Near Fishways—No person shall catch, take or kill any fish in any lake or stream within four hundred (400) feet of any fishway, or have in his possession or under his control any fish so caught, taken or killed.

Prohibited.

SEC. 45. Use of Drugs, Dynamite, Traps, Etc.—No person shall lay, set, use or prepare any drug, poison, lime, medicated bait, fish berries, dynamite, or any other deleterious substance whatever, or lay, stretch or place any tip-up, trap, snare, set or trot-line, or any wire string, rope or cable of any sort in any of the waters of this state with intent to thereby or therewith catch, take or kill any fish.

SEC. 46. Fish Houses—No person shall erect, have or maintain upon the ice in any of the waters of this state any fish house, structure, enclosure or shelter whatever to protect the person of the occupant while engaged in fishing through the ice.

Exception.

Except, that on all inland lakes of this state, a fish house may be used for the purpose of taking pickerel, suckers and redhorse from the fifteenth of December to the first (day) of April following; *provided further*, that any person desiring to use such house shall first make application for a permit for such use to, and obtain such permit from, the game and fish commission, stating that the same is to be used by him for the purpose of obtaining fish for his domestic use and not for commercial purposes, which application shall be accompanied by a fee of one dollar, but no such person shall be permitted to use more than one fish house.

Sale or
shipment of.

SEC. 47. Sale of Trout, Black and Grey Bass—No person shall have in possession for sale, or with intent to sell, expose or offer for sale or sell to any person, any brook trout, or grey, black or Oswego bass, at any time, or ship, cause to be shipped, or have in possession with intent to ship to any person, either within or without the state, any such fish, or have any black, grey or Oswego bass in his possession during the season for taking the same, or any trout during the closed season, except they are caught in a private hatchery.

Return to
water fish
less than
6 inches.

SEC. 48. Size of Fish to be Taken—No person shall at any time catch, take, kill or have in possession or under control any fish for any purpose whatever, except minnows for bait, rock bass, sunfish and bullheads that are less than six inches in length. Any person catching such

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fish shall at once return same to the water from which they are taken with as little injury as possible.

No person shall take, kill, have in possession for sale or with intent to sell, offer or expose for sale, or have in possession or under control for any purpose whatever any lake trout or whitefish of less than two pounds, round or undressed weight, or one and one-half pounds, dressed weight, or any wall-eyed pike of less than fourteen inches in length or one pound round or undressed weight, or any muskallonge less than thirty inches in length, or any blue pike or sangers of less than ten inches in length. Measurement in each case to be made from the tip of the snout to the fork of the tail. Any such fish when caught shall be immediately returned to the water.

Lake trout
or whitefish
less than
2 pounds.

Wall-eyed
pike less
than 14
inches.
Muskallonge
30 inches.
Blue pike
10 inches.

SEC. 49. Fishing in Lake Superior—Fish of any description shall not be caught with nets or seines in the waters of Lake Superior under the jurisdiction of the State of Minnesota, between the fifteenth day of October and the thirtieth day of November following. No person shall take, catch or have in possession or under his control for any purpose whatever, any sturgeon caught in Lake Superior prior to June 1st 1910.

Closed
season in
Lake Su-
perior.

Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof be punished by a fine of not less than one hundred (100) nor more than five hundred (500) dollars, and costs of prosecution, or by imprisonment in the county jail for not less than thirty (30) nor more than ninety (90) days for each and every net so used, had or maintained.

Misdemeanor
penalty.

SEC. 50. Shipping Outside of State—No person shall ship, have in possession with intent to ship or cause to be shipped beyond the borders of this state any fish of the kinds mentioned in this chapter, except as herein provided, except that the commission may give a written permit to any responsible person (a bona fide resident of this state) to ship fish commonly known as bullheads, buffalo fish, carp, redhorse, suckers, sheephead, eel-pout, garfish, dogfish, sturgeon and catfish out of the state upon such reasonable conditions as it may adopt. *Provided further*, that any non-resident of this state who is desirous of taking any fish beyond its borders for his personal use may carry with him on the same train or conveyance, not to exceed fifty pounds of fish caught by him. *Provided further*, that all boxes and packages containing fish, or all boxes, bags, or packages of any description used

Permits
given resi-
dents to ship
certain
kinds.

As to non-
residents.

Packages
plainly
marked.

in shipping fish, either within or without this state, shall be plainly marked with the name and address of the consignor and consignee, and with the contents of the package.

In counties
of 150,000
and over.

SEC. 51. Sale of Fish Prohibited, When.—No person shall sell, have in possession with intent to sell, or offer for sale any fish caught in any lake situated partly or wholly within a county in this state that has a population of one hundred and fifty thousand, or over.

MISCELLANEOUS PROVISIONS.

Fifteen
birds in
one day.

Twenty-five
fish.
Exception.

SEC. 52. Game and Fish Taken in One Day.—No person shall wantonly waste or destroy any of the birds, animals or fish of the kinds mentioned in this chapter. The catching, taking or killing of more than fifteen birds by any one person in any one day, or the catching, taking or killing of more than twenty-five fish by any one person in any one day, except fish caught, taken or killed in the Mississippi river or international waters with nets or seines, as by this chapter permitted, shall be deemed a wanton waste, and destruction of all such birds or fish caught, taken or killed in excess of such number.

Hunting,
etc., pro-
hibited.

SEC. 53. State Parks.—No person shall pursue, hunt, take, catch, or kill any wild bird or animal of any kind within the limits of any territory set apart, designated, used or maintained as a state public park, or within one-half mile of the outer limits thereof or have any such bird or animal or any part thereof in his possession or under his control within said park or within one-half mile of said outer limits.

As to
fire arms.

No person shall have in his possession within any such park or within one-half mile of the outer limits thereof, any gun, revolver, or other firearm unless the same is unloaded, and except after the same has been sealed by the park commissioner or a deputy appointed by him, and except also such gun or other firearm at all times during which it may be lawfully had in such park remains so sealed and unloaded. Upon application to the park commissioner or any deputy appointed by him, it is hereby made his duty to securely seal any gun or firearm in such a manner that it cannot be loaded or discharged without breaking such seal. The provisions of this section shall apply to all persons including Indians.

To residents.

SEC. 54. Sale of Game by Commission.—The game and fish commission is hereby authorized to sell to resi-

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dents of this state at the highest market price obtainable therefor, all furs, fish, game, game animals or game birds now or which may hereafter come into its possession. The proceeds thereof shall be turned into the state treasury and credited to the game and fish commission funds. A record of such sales, including the name of the purchaser and the price paid, shall be kept by the commission. Said commission shall, before selling, tag the same in a manner to be determined by it.

Proceeds
turned into
state treas-
ury, record
of sales.

SEC. 55. Game Shall Not be Resold—Fish, game, game animals and game birds, or any part thereof, sold pursuant to the terms of the foregoing section, shall not be resold, offered for sale or held for the purpose of sale, or otherwise disposed of, to any other person by said purchaser. Said game shall not be bought or taken into possession by any person other than said purchaser from the commission.

SEC. 56. Obstructing Commission—Gathering Spawn—No person shall obstruct the commission, its executive agent or any warden appointed by it while engaged in gathering fish spawn, nor shall any person place in any stream or river any logs or other debris at any time when said commission and its employees are gathering spawn, or about to gather spawn or catch fish for that purpose in any such stream or river. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor. The commission may institute a civil action in the name of the state to recover from any person or persons obstructing it in the performance of its duties, or who shall place logs or other debris in such stream, for all damages resulting therefrom, and in addition there-to may in such action enjoin such party or parties from doing the acts hereby prohibited.

Logs or
other debris
in rivers or
streams.

Prosecution.

SEC. 57. Appropriation—The sum of thirty-five thousand dollars (\$35,000), or so much thereof as may be necessary, is hereby appropriated annually, commencing August 1st, 1905, for the purpose of carrying on and enforcing the provisions of this chapter, to be paid for such purpose out of any moneys in the state treasury not otherwise appropriated.

\$35,000.
annually.

SEC. 58. Illegal Use of Coupons—Any person who uses any coupon described in this chapter other than those issued and delivered to him personally by the county auditor in the shipping or transporting of any game bird or animal or any part thereof, or uses such coupon for

Misdemeanor

any purpose or in any manner other than in this chapter authorized shall be guilty of a misdemeanor.

Procuring of
illegally,
penalty.

SEC. 59. Coupons—Conspiracy—Any person who solicits, or directly or indirectly procures the issuance and delivery of any such coupon to any fictitious person or persons other than himself and uses it in any manner, or who obtains possession of any such coupon and delivers it to any person, or who solicits or procures the shipment to himself or any third person, from another, of any game bird or game animal or any part thereof shall be guilty of a conspiracy to violate the game laws and upon conviction thereof shall be fined not less than fifty nor more than one hundred dollars for the first offense and confined in the county jail not less than sixty or over ninety days for the second offense, and confined in the state prison at Stillwater not less than sixty days for each subsequent offense.

Prohibited.

SEC. 60. Cold Storage—The placing or receiving within or storage of any game bird or game animal, or any part thereof, in any cold storage plant is hereby prohibited and made unlawful.

PENALTIES.

SEC. 61. Resisting Commissioner or Warden—Whoever shall resist or obstruct the executive agent of said commission, or any member thereof, or any warden or other officers of this state, in the discharge of his duties under this chapter, shall be guilty of a misdemeanor, and upon conviction thereof be punished by a fine of not less than fifty (50) nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than sixty (60) nor more than ninety (90) days for each and every offense.

Misde-
meanors.

SEC. 62. Killing, Selling, Buying or Shipping Moose and Deer—Any person who takes or kills, has in possession, has in possession with intent to sell, sells, offers or exposes for sale, ships by common carrier, conveys or causes to be conveyed, has in possession with intent to so ship, or to convey in any manner, to any point within or without this state, any moose, deer, or any part thereof, including the hides and horns, or any person who buys any such game animal, or any part thereof, in violation of any of the provisions of this chapter, or any common carrier or agent thereof who ships or aids or abets any person in shipping any such game animal or any part

thereof, or has possession of the same with intent to ship or transport or convey to any point either within or without this state, contrary to any of the provisions of this chapter, shall be guilty of a misdemeanor and be punished by a fine of not less than fifty (50) or more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than thirty (30) nor more than ninety (90) days for each and every moose or deer, or any part thereof, including the hide and horns, taken, caught, killed, sold, offered or exposed for sale, had in possession, or had in possession with intent to sell, shipped by common carrier or conveyed in any manner, or had in possession with intent to so ship, or transport to any point within or without this state in violation of any provisions of this chapter; *provided, however*, that such fine shall not exceed two thousand (2,000) dollars, or such imprisonment exceed the term of one (1) year.

SEC. 63. Taking, Killing, Selling, or Shipping Game Birds and Fish—Any person who takes, catches, or kills, has in possession, or has in possession with intent to sell, sells, offers or exposes for sale, ships by common carrier, conveys or causes to be conveyed, has in possession with intent to so ship or convey to any point either within or without this state, any game bird or fish, or any part thereof, in violation of any of the provisions of this chapter, or any common carrier or agent thereof who aids or abets any person in shipping such game birds or fish, or has the same in possession with intent to ship or convey, to any point either within or without this state, contrary to any of the provisions of this chapter, shall be guilty of a misdemeanor and upon conviction thereof be punished by a fine of not less than ten (10) nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) nor more than sixty (60) days for each and every game bird or fish or part thereof, taken, caught, killed, sold, offered or exposed for sale, had in possession, or had in possession with intent to sell, shipped by common carrier, or transported in any manner, or had in possession with intent to so ship or transport to any point within or without this state, in violation of any of the provisions of this chapter; *provided, however*, that such fine shall not exceed two thousand (2,000) dollars or such imprisonment exceed the term of one (1) year.

SEC. 64. Attempts—Any attempt to violate any of the provisions of any section of this chapter shall be deemed a violation of such provision, and any person attempting to violate any of the provisions of any section of this chapter shall be guilty of a misdemeanor, and upon conviction thereof punished by a fine of not less than ten (10) nor more than fifty (50) dollars, and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) nor more than sixty (60) days for each and every offense.

SEC. 65. Hunting Without License—Any person, either a resident or non-resident of this state who shall hunt, take or kill any of the game birds or game animals in this state, without having first procured a license therefor as provided in this chapter, shall be guilty of a misdemeanor, and upon conviction thereof, punished by a fine of not less than twenty-five (25) nor more than one hundred (100) dollars, and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) nor more than ninety (90) days for each and every offense.

SEC. 66. Harmless Birds.—Any person who takes, catches, kills, ships or causes to be shipped to any person within or without this state, purchases, offers, or exposes for sale, sells, has in possession, has in possession with intent to sell, any harmless bird, either living or dead, or any part thereof, in violation of the terms of section thirty-nine (39) of this chapter, shall be guilty of a misdemeanor, and upon conviction thereof punished by a fine of not less than ten (10) nor more than twenty-five (25) dollars and costs of prosecution, or by imprisonment in the county jail for not less than thirty (30) days, for each and every bird or any part thereof so caught, taken, killed, shipped or caused to be shipped to any person, either within or without this state, purchased or sold to any one, had in possession, had in possession with intent to sell, offered or exposed for sale, or had in possession or under his control. This section shall not be construed to apply to the keeping or selling of parrots or song birds as domestic pets.

Domestic
pets.

SEC. 67. General Penalty—Any person who violates any provision of this chapter for which a penalty has not been heretofore specifically provided, shall be guilty of a misdemeanor, and be punished by a fine of not less than ten (10) nor more than fifty (50) dollars and costs of

345] OF MINNESOTA FOR 1905. 625

prosecution, or by imprisonment in the county jail for not less than thirty (30) nor more than sixty (60) days.

SEC. 68. All acts and parts of acts inconsistent with the provisions of this chapter, are hereby repealed.

SEC. 69. This act shall take effect and be in force from and after its passage.

Approved April 19, 1905.

CHAPTER 345.

S. F. No. 218.

An act to amend chapter 261 of the General Laws of Minnesota for 1903, entitled "An act abolishing days of grace and fixing the maturity of negotiable instruments and other evidences of indebtedness." Days of grace.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter 261 of the General Laws of Minnesota for 1903, entitled "An act abolishing days of grace and fixing the maturity of negotiable instruments and other evidences of indebtedness, except drafts drawn at sight," be and the same is hereby amended as follows:

That section one (1), of said chapter 261 be and the same is hereby amended to read as follows:

Section 1. No promissory note, draft, check, acceptance, bill of exchange or other evidence of indebtedness, shall be entitled to days of grace, but the same shall be payable at the time fixed therein without grace.

That section two (2) of said chapter 261 be and the same is hereby amended so as to read as follows:

Section 2. All promissory notes, drafts, checks, acceptances, bills of exchange, or other evidences of indebtedness, falling due or maturing on Good Friday, Thanksgiving Day, Sunday, or on any legal holiday, shall be deemed due or maturing on the next succeeding business day; and when Sunday and one or more legal holidays, or two or more legal holidays, fall on the same day, the following day shall be deemed a legal holiday, and when Sunday and one or more legal holidays, or two or more legal holidays, immediately succeed each other, then such instrument, paper or indebtedness shall be deemed as due or maturing on the day following the last of such days. Maturity of negotiable instruments.

Phoenixville, Pa. -- Ordinances, etc.

A DIGEST
OF THE
ORDINANCES
OF
TOWN COUNCIL
OF THE
BOROUGH OF PHOENIXVILLE

TOGETHER WITH THE ACTS OF ASSEMBLY AND
DECREES OF COURT ESPECIALLY
RELATING TO PHOENIXVILLE

*Originally compiled by P. G. Carey, Esq.,
Revised by H. P. Waitneight, Esq., 1896, and
by Samuel A. Whitaker, Esq., 1906.*

PHOENIXVILLE, PA.
"THE DAILY REPUBLICAN" PRINT.
1906

PARKS.

135

nue, be and the same is hereby accepted and ordered to be marked on the Borough plot.

2. Park alley be and is hereby continued from Third ^{Ord. 5 Aug., 1895} avenue south to Fifth avenue, the centre line of said alley to be 190 feet east of the centre line of Main street, said ^{Continued} alley to be twenty feet wide, or ten feet on each side of above described centre line.

3. The owners of lots or lands bounding on and opposite the sidewalks along * * * both sides of Park alley from Washington avenue to Second avenue * * * are hereby required to put up curbstones at the edge of the sidewalks and to pave and gutter the said side- ^{Curb, pave and gutter} walks under the direction of the Borough Surveyor and the Street Committee. * * *

[If neglected after thirty days' notice Street Committee to have work done and file lien therefor. See Quick street § 4.]

PARKS.

1. The following rules and regulations shall be adopted ^{Ord. 2 July, 1878} for the government and protection of Reeves Park, in the Borough of Phoenixville:

SECTION I, PENAL.

1. No person shall enter or leave the park except by ^{Rules of Reeves' Park} such gates or avenues as may be for such purposes arranged.

2. No person shall indulge in any threatening, abusive, insulting or indecent language in the park.

3. No person shall engage in gaming or commit any obscene or indecent act in the park.

4. No person shall carry fire-arms or shoot birds or throw stones or other missiles therein.

5. No person shall cut, break or in anywise injure or deface the trees, shrubs, plants, turf or any of the buildings, seats, fences, lamps or statuary in the park.

6. No person shall turn cattle, goats, swine, horses, dogs or other animals loose into the park.

7. No person shall injure, deface or destroy any notices, rules or regulations posted, or in any other manner permanently fixed for the government of the park.

8. No person shall engage in any play at baseball,

PAVEMENTS.

cricket, shinny, football or any other games with ball and bat, except croquet, within the limits of the park.

Any person who shall violate any of said rules and regulations shall be guilty of a misdemeanor, and for each and every such offence shall pay the sum of five dollars, to be recovered before the Burgess or either of the Justices of the Peace of the Borough of Phoenixville, which fines shall be paid into the Borough treasury for park purposes.

SECTION 2, LICENSES.

1. No person shall expose any article for sale within the park without permission from the Town Council or its representative.

2. No person or persons shall have any musical, theatrical or other entertainments therein, nor shall any military or other parade or procession take place in the park without permission from the Town Council or its representative.

3. No gathering or meeting of any kind, assembled through advertisement, shall be permitted in the park without permission from Council or its legal representative.

SECTION 3, PROHIBITIONS.

1. No gathering or meeting for political purposes, nor spirituous or malt liquors shall be allowed within the park under any circumstances.

N. B.—And we do hereby earnestly appeal to all peaceable, law-abiding citizens, entreating that in the exercise of their proprietary rights they will diligently co-operate in the enforcement of all lawful measures for the care and preservation of all things pertaining to Reeves Park. It is *your own property*; won't you take care of it?

PARTY WALLS.

(See CHARTER § 7, VII.; BUILDINGS § 1 TO 4.)

PAVEMENTS.

(See CHARTER § 7; BUILDINGS § 4, 5; FINES AND PENALTIES § 5, 6, 7, 19, 20.)

Act 90 April,
1905

1. All Boroughs are hereby authorized and empowered to direct and require the grading, paving, repaving and repairing of all sidewalks on the streets of the Borough,

29

Staunton, Va. Charters

THE CODE

OF THE

CITY OF STAUNTON, VIRGINIA

CONTAINING

THE CHARTER AND GENERAL LAWS

AND ORDINANCES

1910
SHULTZ PRINTING CO.
Staunton, Va.

m. sm

*Staunton, Va.
Ordinance*

CHAPTER II.

OF THE PUBLIC PARKS AND THE GOVERNMENT THEREOF.

Sec. 134. Park Policeman.

There shall be selected by the council a park policeman whose duty it shall be to have carried out the rules and regulations for the government of the park.

Sec. 135. Acts prohibited in Park.

All persons are forbidden to enter or leave the park except by the gateways; to climb or walk upon any of the walls or fence, to turn cattle, horses, goats or swine into the park; to carry firearms, or to throw stones or other missiles within it; to cut, break, or in any way injure or deface the trees, benches, shrubs, plants, turf, or any of the buildings, fences, bridges, or other constructions upon the park; or to converse with, or in any way hinder those engaged in its construction.

Sec. 136. Fast driving, etc., prohibited.

No animal or wheeled vehicle shall travel on any part of the park, except upon the driveway, nor at a rate exceeding seven miles per hour. Persons on horseback shall not travel at a rate exceeding seven miles per hour.

Sec. 137. "Standing" or "hitching" places.

No animal or vehicle shall be permitted to stand upon any driveway or carriage road of the park, or any part thereof, and no animal or vehicle shall be permitted to be hitched or allowed to stand at any place within the park enclosure, except such places as may be provided and designated as "standing" or "hitching" places. Nor shall any person upon the park solicit or invite passengers.

Sec. 138. Vehicles for hire in park.

No hackney coach, carriage or other vehicle for hire, shall stand upon any part of the park for the purpose of taking in any

30

ORDINANCES, RULES AND
REGULATIONS

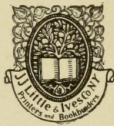
OF THE

DEPARTMENT *of* PARKS

OF THE

CITY OF NEW YORK (*city*)

SB 483
V 548 A 5
1916



D. of D.
JAN. 22 1917

CITY OF NEW YORK



6023-'16 (L & I) 1000

ORDINANCES, RULES AND REGULATIONS

OF THE
DEPARTMENT OF PARKS
of the CITY OF NEW YORK

The Park Board under Chapter 610 of the Charter (3d Edition, 1906) ordains as follows:

CHAPTER 17.

PARKS, PARKWAYS AND PARK-STREETS.

(REGULATIONS OF THE PARK BOARD.)

- Article 1. General provisions.
2. Traffic regulations.
 3. Building and other projections.
 4. Miscellaneous.

ARTICLE 1.

- Section 1. Definitions.
2. Interfering with lands or improvements thereon.
 2. Sub-surface disturbances.
 4. Over-head wires.
 5. Destruction of or injury to park property.

6. Preservation of lawns and grass plots.
7. Bringing trees, plants and flowers into parks.
8. Use of roller skates.
9. Rubbish and refuse matter.
10. Processions; drills; music.
11. Public meetings.
12. Sales or exhibitions.
13. Posting bills or placards.
14. Bathing, fishing, boating and skating.
15. Protection of animals, birds and reptiles.
- 15a. Baseball and Other Games.
16. Animals at large.
17. Disorderly conduct.
18. Custodian of minors.

§1. Definitions. Unless otherwise expressly stated, whenever used in this chapter, the following terms shall respectively be deemed to mean:

1. *Commissioner*, or *the commissioner*, the park commissioner having jurisdiction of a particular park, or park-street, as hereinafter defined;

2. *Park*, any park, parkway, square, circle, or concourse, or part thereof, under the jurisdiction of the park department;

3. *Park-street*, a street, avenue, boulevard or other highway, under the jurisdiction of the park department;

4. *Permit*, a written authorization for the exercise of a specified park privilege, issued by the park commissioner having jurisdiction.

§2. Interfering with lands or improvements thereon. No person shall modify, alter or in any manner interfere with the line or grades of any park or park-street, nor take up, move or disturb any curb, gutter stone, flagging, tree, treebox, railing, fence, sod, soil or gravel thereof, except by direction of the commissioner or under his permit.

§3. Sub-surface disturbances. No person shall open, expose or interfere with any water or gas pipe, hydrant, stopcock, sewer, basin or other construction, within or upon any park or park-street, nor make any connection therewith, except under the authority of a permit, and upon the deposit of such sum of money as may be required by the commissioner to insure the restoration of the soil, sod, plants, shrubs, trees, sidewalk, pavement, curb, gutter and flagging disturbed in the making of such connection.

§4. Overhead wires. No person shall attach or string any electric or other wire, or adjust or carry the same into or over any park or park-street, except under a permit.

§5. Destruction of or injury to park property. No person shall cut, break or in any way injure or deface any tree, shrub, plant, grass, post, railing, chain, lamp, lamp-post, bench, tree-guard, building, structure or other property in, or upon any park or park-street.

§6. Preservation of lawns and grass plots. No person unless he shall hold a special permit therefor or unless a special permit therefor shall have been issued to a group of which he is a mem-

ber shall go upon any lawn or grassplot in any park or parkway except when permission therefor shall have been given to the public by the commissioner.

§7. Bringing trees, plants and flowers into parks. No person shall bring into or carry within a park any tree, shrub, plant or flower, or newly plucked part thereof, without a permit.

§8. Use roller skates upon any sidewalk, bridle path or driveway, nor in any building or place of public assembly, except upon such walks and during such hours as may be designated by the commissioner.

§9. Rubbish and refuse matter. No person shall throw, cast or lay, or direct, suffer or permit any servant, agent, employee or person in his or her charge, to throw, cast or lay, any ashes, offal, vegetables, garbage, dross, cinders, shells, straw, shavings, paper, dirt, filth or rubbish of any kind whatsoever in any park, or in any lake, lawn, path, walk, road or drive thereof, or in any park-street; provided that in the morning before 8 o'clock, or before the first sweeping of the roadway of any park-street by the street cleaners, dust from the sidewalk may be swept into the gutter, if there piled, but not otherwise.

§10. Processions; drills; music. No parade, drill or manoeuver of any kind shall be conducted, nor shall any person play upon a musical instrument or display any flag, banner, target, sign, placard or transparency in any park, nor shall any civic or other procession form or move therein, without a permit; but no such permit shall be

necessary for the use of the parade ground in Van Cortlandt Park, borough of the Bronx, and the parade ground adjacent to Prospect Park, borough of Brooklyn, by organizations of the National Guard of the State of New York.

§11. Public meetings. No person shall erect any structure, stand or platform, or hold any meeting, or perform any ceremony or make a speech, address or harangue in any park without a permit from the commissioner having jurisdiction.

§12. Permits for sales, exhibitions, etc. No person shall exhibit, sell, or offer for sale anything whatsoever, or take any photograph, or perform any personal service for hire in any park or parkway, or in any street, square, or public place under the jurisdiction of the department of parks except under a permit from the commissioner of parks of the borough in which such park or parkway, street, square, or public place is situated or otherwise than in accordance with the terms of such permit, provided, however, that the provisions of this section shall not apply to public hack stands maintained in streets adjacent to public parks, pursuant to section 99, article 8, chapter 14 of the Code of Ordinances.

§13. Posting bills or placards; distributing cards, circulars or pamphlets. No person shall post any bill, placard, notice or other paper upon any structure, tree, rock, article or thing within any park or upon any park-street, nor paint or affix thereon, in any other way, any advertisement, notice or exhortation, except under a permit and

in strict conformity therewith. No person shall distribute, hand out or cast about any card, circular, pamphlet or other printed matter within any park or upon any park-street.

§14. Bathing, fishing, boating and skating. No person shall bathe in, nor disturb in any way the fish in, the waters or fountains of any park, nor cast any substance therein; except, that in the waters adjacent to Pelham Bay Park bathing and fishing shall be permitted, subject to the rules and regulations prescribed by the commissioner. Fishing may also be allowed in the lakes of Prospect Park and Kissena Park, under permits. No person shall be permitted to appear in bathing costume in any park or parkway, except on the beaches in Pelham Bay, Seaside, Dreamland, Jacob Riis and Rockaway Parks. No boat or vessel shall be placed upon any of the waters of any park, except by special permit. No skating or sledding shall be allowed on any park lakes, unless and until the ice is declared to be in a suitable condition by the commissioner.

§15. Protection of animals, birds and reptiles. No person shall hunt, chase, shoot, trap, discharge or throw missiles at, or molest or disturb in any way, any animal, bird or reptile in any park.

§15-A. Baseball and other games. No person shall throw, cast, catch, kick or strike with any implement whatever, any baseball, golf ball, football, basket ball, bean bag, or other object in or upon any park or parkway, or any square, circle, concourse, playground, street, avenue, boulevard or

other highway under the jurisdiction of the park department, or on any recreation pier, without a permit therefor issued by the commissioner or his supervisor of recreation nor otherwise than in accordance with the terms of such permit.

§16. Animals at large. No horse or other animal shall be allowed to go at large in any park or upon any park-street, except dogs that are restrained by a chain or leash not exceeding 6 feet in length.

§17. Disorderly conduct. No person shall, in any park,

1. Use threatening, abusive or insulting language;

2. Do any obscene or indecent act;

3. Throw stones or other missiles;

4. Beg or publicly solicit subscriptions or contributions;

5. Tell fortunes;

6. Play games of chance, or use or operate any gaming table or instrument;

7. Climb upon any wall, fence, shelter, seat, statue or other erection;

8. Fire or carry any firearm, firecracker, torpedo or fireworks;

9. Make a fire;

10. Enter or leave except at the established entrance-ways;

11. Enter any park for the purpose of loitering and remaining therein after 12 o'clock at night, except as, on special occasions, the occupation and use thereof may be authorized beyond the regular hours;

12. Do any act tending to a breach of the public peace.

13. Bring into any park a beverage containing alcohol, except for delivery to a restaurant therein, duly licensed by the State Excise Department, with the permission of the commissioner of parks having jurisdiction, or consume publicly, except within the premises of a restaurant, duly licensed as aforesaid, any beverage containing alcohol.

All persons doing any act injurious to a park shall be removed therefrom by the park keepers or by the police. When necessary to the protection of life or property, the officers and keepers of the park may remove all persons from any designated part thereof.

§18. No parent, guardian or custodian of a minor shall permit or allow such minor to do any act prohibited by any provision of this chapter.

ARTICLE 2.

TRAFFIC REGULATIONS.

- Section 30. Use of drives and bridle paths.
31. Vehicles obstructing assemblies.
32. Towing vehicles.
33. Restrictions on certain vehicles.
34. Public hacks, cabs and automobiles.
35. Carriers of offensive refuse or heavy materials.
36. Smoky motor vehicles.
37. Park-streets.

38. Harlem River driveway.
39. Ocean Boulevard, Bay Parkway, Eastern Parkway and the Brooklyn-Queens Speedway.
40. Bicyclists.
41. Coney Island cycle paths.
42. Instruction in driving motor vehicles or bicycles.

§30. Use of drives and bridle paths. In all parks and parkways, the drives shall be used only by persons in pleasure vehicles, on bicycles or on horseback; the bridle paths only by persons on horseback. Animals to be used on either shall be well broken, and constantly held in such control that they may be easily and quickly turned or stopped. No person shall operate, drive or propel, and no owner thereof riding thereon or therein shall cause or permit to be operated, driven or propelled, on any park drive, parkway or park street, any bicycle, tricycle, velocipede, motor-cycle, motor-tricycle, motor delivery wagon, or motor vehicle, however propelled, or any vehicle drawn by horses or other animals, recklessly or negligently, or at a speed or in a manner so as to endanger, or to be likely to endanger, the life or limb or property of any person. A rate of speed exceeding 15 miles per hour shall constitute prima facie evidence of a prohibited rate of speed and manner of driving, and a violation of the provisions of this section; a rate of speed exceeding 20 miles per hour shall constitute a prohibited rate of speed and manner of driving, and a violation of the

provisions of this section; and a limit of speed exceeding 25 miles per hour, on parkways in the outlying sections of the parks of the boroughs of The Bronx, Richmond, and Queens, shall constitute a prohibited rate of speed and manner of driving, and a violation of the provisions of this section. When an officer on duty shall direct, by gesture or otherwise, that the speed of an animal or vehicle shall be checked, or that it shall be stopped, or its course altered, such direction shall be immediately obeyed. No horse or other beast of burden, nor any automobile, shall be driven or suffered to stand anywhere except on the drive or bridle path. On all driveways and parkways where grass plots divide the way, all vehicles and horsemen must keep on the right hand drive or bridle path.

§31. Vehicles obstructing assemblies. No owner or operator of a motor-cycle, automobile or horse-drawn vehicle shall stop near any of the music stands or other places, in or about a park, parkway, plaza, concourse, circle or square, where any considerable number of persons are accustomed to congregate, or where such motor-cycles, automobiles or vehicles would be a source of danger to life and limb, except by permission of the commissioner.

§32. Towing vehicles. No vehicle of any kind, in tow of another vehicle or machine, shall be allowed to enter any park or to proceed along any parkway, but, in case of break-down within a park or parkway, the disabled vehicle may be towed to the nearest point of exit.

§33. Restrictions on certain vehicles. 1. *Hearses.* No hearse, or other vehicle or person carrying the body of a dead person, shall enter or be allowed in any part of a park, except by permit.

2. *Public carriers.* No public omnibus or express wagon, and no wagon, cart or other vehicle, carrying or ordinarily used to carry merchandise, goods, tools or rubbish shall enter such public parks, parkways, squares or places except upon traffic roads provided for the purpose, without a permit.

3. *Fire apparatus.* No fire engine or other apparatus on wheels for extinguishing fire shall enter or be allowed upon any part of the park, except the transverse and traffic roads.

§34. Public hacks, cabs and automobiles. 1. *Special permits.* No automobile, stage or other vehicle shall be allowed to carry passengers for hire over or upon any park or parkways, except upon traffic roads, without a permit.

2. *Awaiting fares.* No vehicle for hire shall stand within a park, parkway or park-street for the purpose of taking up passengers, other than those whom it has brought in, without a permit.

3. *Soliciting passengers.* All drivers or attendants of vehicles for hire, standing upon or within any park, parkway or park-street, shall remain in close proximity to their vehicles while so standing, and no person shall in any way solicit a passenger for any vehicle for hire in any park, parkway or park-street.

§35. Carriers of offensive refuse or heavy materials. No garbage, ashes, manure or other offen-

live material shall be carried over any parkway or through any park, except upon traffic roads set apart for the purpose. When such refuse is to be removed from residences fronting on any park or park-street, the vehicle collecting the same must leave the park or street as soon as the collection has been accomplished, and within the time prescribed by the commissioner. No earth, sand or broken stone shall be carried over any parkway except on traffic roads, without a permit.

§36. Smoky motor vehicles. No person shall be permitted to run a motor vehicle which emits offensive quantities of smoke or gas or disagreeable odors from its exhaust, or muffler, in a park or park-street.

§37. Park-streets. 1. *General.* No animal or vehicle shall be permitted to stand, nor shall any incumbrance of any kind be allowed to remain upon any street adjacent to or bounding upon any park, without a permit; except that vehicles may be permitted to take up and set down passengers, and to load and unload merchandise in the usual manner, and may occupy the street a reasonable time for the purpose; provided, however, that they shall not, while so doing, unnecessarily incumber the street or obstruct travel therein.

2. *Special.* The delivery of supplies to the residences on Riverside Drive and Morningside Avenue, West, in Manhattan, and the Shore Road in Brooklyn, will be permitted in the forenoon, but no business vehicles shall enter upon or pass over said parkways after the hour of noon, except

by special permit. In passing over any of said streets, business vehicles must go directly to the place of delivery and must leave such street without unnecessary delay, and by the shortest route—the place of entry, if possible. The park-streets specified in this sub-division must not be used to enable business vehicles to reach places exterior to such streets.

§38. Harlem River driveway. 1. *Speedway restricted.* The use of the Speedway is restricted to horse drawn pleasure vehicles and to light vehicles of the classes known as buggies, runabouts, surreys and other like vehicles adapted to the speeding of light harness horses, seating not more than four persons and drawn by one or two horses, except by permit. Exercising carts may be used until 1 p. m. only.

2. *Speeding*, on Sundays and holidays, and after 3 o'clock p. m. on other days, will be permitted in one direction—from north to south only.

3. *Ordinary travel.* When not speeding, drivers must keep closely to the right hand side of the road and keep moving.

4. *Turning* forbidden, except at the ends of the driveway and at the bridges.

5. *Loud shouting*, to make horses break or urge them on, is strictly prohibited.

6. *Hobbles.* The use of hobbles, or other similar device or apparatus to fetter or connect the legs of horses, for the purpose of restricting or hampering their motion or gait, is forbidden.

7. *Crossing roadway.* Pedestrians must not

cross on the Speedway; subways are provided for that purpose.

§39. Ocean Boulevard, Bay Parkway, Eastern Parkway and the Speedway in Brooklyn and Queens. 1. *Business vehicles.* Wagons, trucks and other business vehicles, heavy or light, are prohibited from using the main drive of the Ocean Parkway and from using the Bay Parkway between 80th Street and Gravesend Bay, and must use the west road at all times, and they must use the block pavement, at either side of the main road or the traffic roads of the Eastern Parkway.

1-A. It shall be unlawful to drive any vehicle over the easterly side road or bridle road of the Ocean Parkway, between Prospect Park and the Coney Island Concourse, except as it may be necessary to cart or convey supplies to the residences along said easterly side road, or in case of buildings being erected fronting on said side road, when it shall be lawful to cart building materials thereon. In all cases, however, vehicles must enter said road from the street nearest to said residence or house in course of construction, and must leave the same at the next following intersecting street.

2. *Automobiles.* Automobiles will not be permitted on the Speedway, between Bay Parkway and King's Highway, on Wednesday afternoons between 1 and 6 p. m. During these hours, on Wednesday, automobiles must take the west road. Vehicles of all other kinds except those for light harness driving shall be excluded from the Speedway during the hours herein specified.

3. *Speeding.* Light harness driving on the

Speedway (Ocean Parkway, between Bay Parkway and King's Highway) shall not be restricted as to speed, on Wednesdays, between the hours of 1 and 6 p. m.; speeding, however, is only to be permitted from Bay Parkway toward Coney Island, and drivers shall be compelled to observe the rules of the road.

4. No person shall operate an automobile on that part of the Eastchester Bay Shore Road, beginning at the northerly approach to the bridge over Eastchester Bay at its junction with the Eastern Boulevard, and running thence easterly and then northerly, following a winding course, approximately parallel to the shore line of Eastchester Bay for a distance of approximately 4,450 feet to a point on the City Island Road, 125 feet west of Glover's Rock, nor upon that portion of the Shore Road known familiarly as the Orchard Beach Shore Road, beginning at a point on the City Island Road 435 feet east of Glover's Rock, running thence in a winding course approximately parallel to the shore line of Pelham Bay, through the camp reservation at Orchard Beach, and for a distance approximately 4,800 feet to the City Island Road where it joins the westerly approach to the City Island Bridge.

§40. Bicyclists. No person shall ride a bicycle upon the foot-paths in any park or parkways. Bicyclists walking upon a foot-path may push their wheels along the path, but in no case shall the machine be taken upon the turf.

§41. Coney Island cycle-paths. 1. *Reserved*

for cyclists. Motor cars, wagons, carriages, automobiles and pedestrians must not use bicycle paths.

2. *Going and returning.* Cyclists must use the west path when going toward Coney Island, and the east path in returning.

3. *Speed limit.* Cyclists and motor cyclists must not exceed a speed of eighteen miles an hour on the bicycle paths. Racing on the bicycle paths is prohibited, except by special permission of the commissioner.

§42. Instruction in driving motor vehicles or bicycles. Instruction in operating automobiles, motor cycles, bicycles, tricycles, velocipedes or other vehicles of propulsion, is prohibited in parks and parkways at all times.

ARTICLE 3.

PROJECTIONS UPON PARKS, PARKWAYS OR PARK-STREETS.

Section 60. General provisions.

61. Fifth Avenue, Manhattan.
62. Riverside Drive.

§60. General provisions. 1. *Jurisdiction.* Each commissioner may grant permits for the erection and maintenance of projections on any park or parkway, within his jurisdiction, and on all streets and avenues within a distance of 350 feet from the outer boundaries thereof, upon such terms and conditions and upon the making of such compensation to the city as in his discretion

he may determine, with respect to the particular locality.

2. *Correction of defects.* Where permits have heretofore been granted upon the making of compensation and a new permit is desired to correct any irregularity, defect or supposed want of jurisdiction in the granting of such permit, a new permit may be granted without further compensation.

3. *Curb and surface construction.* Each commissioner may determine the line of curb and the surface constructions of all streets and avenues, lying within any park or parkway, in his jurisdiction, or within a distance of 350 feet from the outer boundaries thereof, as he may deem advisable, according to the particular locality, and best calculated to maintain the beauty and utility of such park or parkway.

4. *House projections.* All applications for the privilege of erecting bay windows or other house projections shall be made to the commissioner in whose administrative jurisdiction the park or parkway affected lies, who may, in his discretion, grant the same, upon payment of a fee to be determined in each case by him. Working plans in duplicate, drawn to a scale of one-quarter inch to the foot, shall be required to accompany each application, showing the elevation, plans and vertical sections of extent of projection, one copy of which shall be filed in the office of the commissioner, and another shall be returned to the applicant, for filing in the appropriate bureau of buildings, upon the approval of the commissioner. No permit will

be granted to cover more than 4 feet of projection beyond the house or building line, nor shall the projections occupy, longitudinally with the street or avenue, more than two-thirds of the width of the building from which they project.

§61. Fifth Avenue, Manhattan. 1. Owners of property on the easterly side of Fifth Avenue, between 58th and 111th Streets, in the borough of Manhattan, are permitted to inclose, for courtyard purposes, and not otherwise, 15 feet of the sidewalks adjacent to and in front of their respective lots; and the stoops of buildings erected on said avenue may, in such cases, project to the extent of such courtyards; provided,

1. That such stoops shall, in every instance, be open above the railing or balustrade thereof;

2. That the form, size and character thereof, together with the form, size and character of the area railings, shall be subject to the approval of the commissioner;

3. That no stoop or area railing shall be constructed or put upon Fifth Avenue, or upon any of the streets or avenues surrounding Central Park, within the boundaries first above mentioned, until the plan thereof has been submitted to and approved by the said commissioner.

§62. Riverside Drive. 1. *General provisions.* No structure or construction of any description, nor any part thereof, shall be placed or permitted on or under Riverside Drive until working plans in duplicate, drawn to a scale $\frac{1}{4}$ inch to the foot, shall have been filed with the Department of Parks, with an application for the erection or con-

struction of the structure; said drawings to show elevations, floor plans and vertical sections of the extent of projections, and that the applicant has received permission to erect the said projection, as shown on drawings from the department.

2. *Areas, courtyards, steps or stoops.* No area, courtyard, step or stoop or any part or appurtenance thereof, shall project into the drive, beyond the building line, to the extent of more than 5 feet where the sidewalk is 16 feet wide; 7 feet, where the sidewalk is 20 feet wide; 8 feet, where the sidewalk is 25 feet wide, and in proportion to the above, where the sidewalk is between 16 and 20 feet or between 20 and 25. No stoop or steps shall be covered, except over the landing or platform at the top, nor shall they be inclosed except by an open railing, not more than 4 feet in height.

3. *Bay windows.* Bay windows shall not project in the drive, beyond the building line, to the extent of more than 4 feet, and, when allowed to project into the drive, they shall not occupy, longitudinally with the drive, more than two-thirds of the width of the building from which they project.

4. *Balconies, cornices and ornaments.* No balcony, cornice or ornament shall project into the drive, beyond the house line, to the extent of more than 4 feet, nor shall any balcony be inclosed on the front side, except by a railing not over 4 feet in height.

5. *Sub-surface construction.* No vault or other construction below the sidewalk shall be built except in such manner as shall leave the sewers,

gas and water pipes, or space proposed to be occupied by the same, free and uninclosed and in safe condition, nor in any case to extend in the clear beyond the curb line.

§63. Ocean Parkway. 1. Veranda, porch, piazza or portico projections beyond courtyard restriction line. All applications for projections of verandas, porches, piazzas, etc., beyond the thirty (30) foot restriction line of Ocean Parkway shall be accompanied by blue prints of plan of proposed projection, drawn to a scale of one-quarter ($\frac{1}{4}$) of an inch to the foot, showing restriction line, lot lines, plan and section or plan and elevation of projection. The projection shall not exceed fifteen (15) feet beyond the restriction line at any point, and shall be of open construction, with roof supported by columns or piers.

§64. Restricted areas on Ocean Parkway, Eastern Parkway and Plaza Street. The restricted areas on these parkways shall be reserved strictly for the purposes set forth in the respective laws governing same and shall not be used temporarily or permanently for any of the following purposes: advertising signs, contractors' tool houses or shanties, disposal of garbage, refuse, rubbish or other waste materials, dumping ground for filling material, garage buildings, news-stands, gasoline stations, moving picture houses or purveying stands. No use or occupancy of any nature whatsoever shall be made of these restricted areas without a permit having been previously secured from the commissioner of parks having jurisdiction.

ARTICLE 4.

MISCELLANEOUS.

Section 70. Trees and shrubs in streets.

71. New York Botanical Garden.

§70. Trees and shrubs in streets. 1. *Planting.* No shade or ornamental tree, or shrub, shall be planted in any street until a permit has been granted by the commissioner having jurisdiction. No hole or excavation shall be prepared for planting any tree or shrub, unless sufficient mould of satisfactory quality shall be used, and the conditions, such as the absence of poisonous gas and deleterious substances, have been made satisfactory.

2. *Cutting, breaking or disturbing.* No stem, branch or leaf of any such tree or shrub shall be cut, broken or otherwise disturbed, nor shall the root of any such tree or shrub be disturbed or interfered with in any way, by any individual or any officer or employee of a public or private corporation, until a permit shall have been issued therefor. The surface of the ground within 3 feet of any such tree or shrub, shall not be cultivated, fertilized, paved or given any treatment whatever, except under a permit.

3. *Misuse.* No person shall cut, deface, mutilate or in any way misuse any such tree or shrub, nor shall any horse or other animal be permitted to stand in a manner or position where it may cut, deface or mutilate the same. No building mate-

shall be piled or maintained against any tree or shrub. No guy rope, cable or other contrivance shall be attached to any tree or shrub, nor shall any tree or shrub be used in connection with any banner, transparency or any business purpose whatever, except under a permit.

§71. New York Botanical Garden. All provisions of this chapter, respecting the government of parks, shall be applicable to the New York Botanical Garden; provided, that in any case in which the commissioner is authorized to issue a permit for the exercise of a park privilege, the permit, if authorizing the exercise of such a privilege in the New York Botanical Garden shall be recommended or approved by the Director-in-Chief of the Garden.

REGULATIONS OF BRONX ZOOLOGICAL PARK.

Admission.

1. The Zoological Park will be open to the public every day in the year. From April 15th to October 15th, the gates will be open at 9 a. m., and from October 16th to April 14th at 10 a. m. The park will be closed to incoming visitors, half an hour before sunset throughout the year.

2. On Mondays and Thursdays, except when either of those days fall on a legal holiday, all persons who are not members of the Zoological Society, or are not provided with member's tickets, shall pay for each adult 25 cents admission, and

for each child over five and under 12 years, 15 cents admission.

3. All visitors must leave the park not later than sunset; and visitors found in the park after sunset will be liable to arrest as suspicious or disorderly persons.

4. No dogs shall be allowed in the park whether in leash or carried in arms; but this rule shall not apply to dogs which are kept continuously confined in automobiles or carriages while in the park.

5. No cameras or other photographic apparatus will be allowed in the Zoological Park, except upon written permit from the Society. Such permits may be issued to animal painters and sculptors, and to reporters regularly employed by newspapers, under proper rules and restrictions. No such permits will be granted under any circumstances for use on Sundays or public holidays.

Vehicles in the park.

6. No vehicles except service wagons, carts and coal trucks will be allowed on any walk, roadway or public space in the Zoological Park other than the Service Road, and only on the Service Road when driven slowly. The carriages and automobiles of visitors shall be restricted to the Concourse Entrance, and the Concourse itself. This rule will be strictly enforced, and, if necessary, those violating it will be arrested for disorderly conduct.

7. All wagons, carts and automobiles delivering supplies must enter at the Service Entrance, on the Southern Boulevard, at 185th Street.

Conduct.

8. No disorderly or intoxicated persons will be allowed within the Zoological Park under any circumstances. The use of abusive or insulting language to any of the employees of the Park shall be sufficient cause for the expulsion from the Park of the offender, or arrest for disorderly conduct. This rule will be strictly observed as the employees of the Society are under strict orders to act courteously towards the public.

9. All visitors are strictly forbidden to feed any animals in the Zoological Park, except the wild squirrels; or to throw anything whatsoever into any animal cage or enclosure, to tease, annoy, molest, frighten, to cause injury in any manner to any animal or bird in the Zoological Park, whether confined or otherwise.

10. All visitors and all members of the Zoological Park force are strictly forbidden to bring intoxicating liquors, including beer, into the Zoological Park, or to sell, or otherwise dispose of, such liquors in the Park. This prohibition shall not apply to cordials and spirits that may be ordered by the medical officer of the Zoological Park staff for strictly medicinal purposes.

11. It is strictly forbidden to bring unshelled peanuts into the Zoological Park, or to throw peanut shells upon any walk or lawn.

12. It is strictly forbidden to throw or deposit any waste paper, nut shells, fruit refuse, luncheon boxes, newspapers or any rubbish of any kind upon any walk, lawn, beach or ground in the Zoological Park. All rubbish and refuse must be deposited in the receptacles provided to receive it.

13. Visitors are strictly forbidden to climb over guard rails, fences, or guard wires, to enter places not open to visitors, or in any manner expose themselves to personal danger in the Zoological Park.

14. No one shall cut, pluck, break, remove or in any manner injure any of the trees, shrubs, plants and flowers of the Zoological Park, nor remove any soil, nor dump any refuse on Park Grounds.

15. Fishing in any of the ponds, lakes and water courses of the Zoological Park, and collecting living animals of any kind, vertebrate or invertebrate or botanical specimens, are prohibited.

16. Roller skating and ball playing in the Zoological Park are forbidden.

17. Skating on Bronx Lake is at all times forbidden, except when the Zoological Park safety signal is displayed.

18. All persons using rowboats are forbidden to stand up while boating, to pass each other standing up, or purposely to rock any boat.

19. Hawking and peddling in the vicinity of any of the Zoological Park entrances along the Boston Road, or anywhere on the grounds, or

along the boundaries of the Zoological Park, fenced or unfenced, is strictly forbidden.

20. No poles shall be erected for the purpose of carrying overhead wires for the transmission of electric current, upon any street or road passing through the Zoological Park.

Lost and Found.

21. All lost articles or lost children shall be taken without delay to the office of the Chief Clerk, and for all "found" articles that are turned in receipts will be furnished by the Chief Clerk.

Penalty.

22. Any person who violates any of the above rules will be liable to arrest, fine, and imprisonment.

All ordinances or parts of ordinances heretofore adopted affecting the parks, parkways and public places of The City of New York under the jurisdiction of the Department of Parks inconsistent with or in conflict with the ordinances above set forth are hereby repealed.

CABOT WARD, President,
THOMAS W. WHITTLE,
RAYMOND V. INGERSOLL,
JOHN E. WEIER,

Commissioners of Parks of The City of New York.

I certify that the foregoing is a true copy of the Ordinances, Rules and Regulations of the Department of Parks of The City of New York, as duly established and now in force.

LOUIS W. FEHR,

Secretary, Park Board.

November 20, 1916.

PENALTY:

Section 610 of the Charter provides:

“Any person violating any ordinances relating to the parks or other property mentioned in this section shall be guilty of a misdemeanor, and shall on conviction before a City Magistrate, be punished by a fine not exceeding fifty dollars, or in default of payment of such fine by imprisonment not exceeding thirty days.”